Story of Dr. John Clarke

FOUNDER OF RHODE ISLAND

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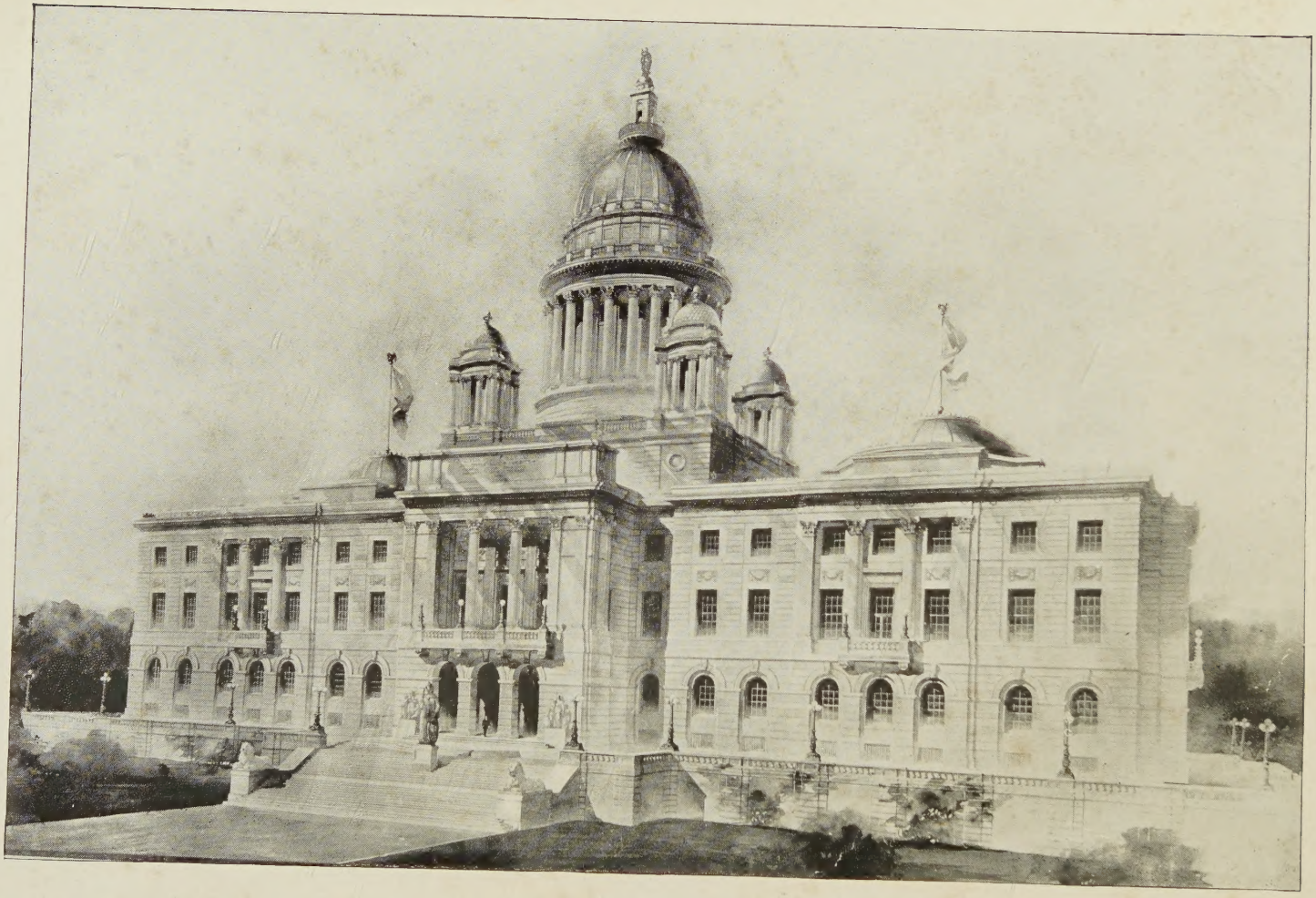
"A FLOURISHING CIVIL STATE—WITH FULL LIBERTY IN RELIGIOUS CONCERNMENTS."



Si monumentum requiris, Circumspice

"HIS GRAND MOTIVE

A JUST LIBERTY TO ALL MEN'S SPIRITS IN SPIRITUAL MATTERS"

Roger Williams on Dr. John Clarke

STORY OF DR. JOHN CLARKE

THE FOUNDER OF

THE FIRST FREE COMMONWEALTH OF THE WORLD

ON THE BASIS OF

"Full Liberty in Religious Concernments"

BY

Thomas W. Bicknell, A.M., LL.D.

Author of "Historical Sketches"; "History of Barrington, R. I."; "History of the Rhode Island Normal School"; "History and Genealogy of the Bicknell Family in England and America"; "Sowams"; etc., etc.

FIRST EDITION

Published by the Author

PROVIDENCE, R. I.

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KANSAS CITY, KANSAS 66102

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1915

Yet more clearly will the great concerns of these English planters be made manifest to the world, when it will appear that Dr. John Clarke, the leader of the Aquidneck Plantation, procured, by wise diplomacy, from King Charles the Second, in July, 1663, the most liberal charter ever given to men, securing to Rhode Island and Providence Plantations full liberty in civil and religious concernments.

Yet more, the highest honor belongs to Dr. John Clarke, the author and inspirer of the Royal Charter, whose mind dictated and whose pen wrote the imperishable sentiment, "THAT IT IS MUCH ON THEIR HEARTS (IF THEY MAY BE PERMITTED) TO HOLD FORTH A LIVELY EXPERIMENT, THAT A MOST FLOURISHING CIVIL STATE MAY STAND AND BEST BE MAINTAINED, AND THAT AMONG OUR ENGLISH SUBJECTS, WITH A FULL LIBERTY IN RELIGIOUS CONCERNMENTS."

These words, cut in enduring marble on the west facade of our beautiful Capitol at Providence, constitute it a living monument to perpetuate the spotless name and the matchless fame of DR. JOHN CLARKE OF AQUIDNECK.

To the Grand Jury of the World, I submit the evidence of historic facts.

THOMAS W. BICKNELL.

Providence, R. I.
Sept. 6, 1915.

52469

The Story of Dr. John Clarke of Aquidneck

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CHAPTER I.

Rhode Island.

The Birthplace of Soul Liberty.

Rhode Island is the name of one of the United States, the smallest in area, the greatest in historic fame. Its former legal title was The State of Rhode Island and Providence Plantations,—the names of the two Colonies that united to form the Federal State.

The name Rhode Island, or Isle of Rhodes was first applied in 1644 to the Island, called by the Narragansett Indians, Aquidneck. Its earliest political value was the Colonial name of the two towns, Portsmouth and Newport, in distinction from the Colony of Providence Plantations, at the head of the Narragansett Bay. In this discussion, the name Rhode Island will be restricted to its early Colonial application as adopted by the General Court of Election of the two towns on the 13th of March, 1644.

It is my purpose to show that the two towns, Portsmouth and Newport, occupying at that time the whole territory of the Island of Rhode Island and constituting the original Colony of Rhode Island, are entitled to the honor and distinction of Primacy in the establishment of a pure Democracy, coupled with Soul Freedom in a well ordered Civil Magistracy.

The physical area of this Commonwealth of high ideals was probably the smallest of the historic states of the world, its extreme length not exceeding sixteen miles and its breadth not over five miles. Its location on the Atlantic Coast line and its extensive land-locked harbor, gave its early planters an advantage in primitive commerce and fisheries which proved of great economic value. This Island, it may be noted, was first seen through European discovery, by John Verrazzano, who, skirting the New England Coast, in 1524, entered and explored the lower Narragansett Bay, calling the harbor and Island Refugio.

At the settlement of the English Colonies in Massachusetts in 1620 and later, the lands within and adjacent to the Bay were styled the Narragansett Country. Those on the East and Northeast were occupied by the Wampanoag Indians, whose chief sachem, Massassoit, had his residence at Sowams, now Barrington, R. I. The islands in the Bay, including Aquidneck, and the lands on the West and Northwest of the Bay were occupied and owned by the Narragansetts, under the chiefs Canonicus and Miantonomi.

It is an interesting fact that the most notable "livelie experiment" in the practical application of the doctrines of civil and religious liberty in America or even in the world, should have been made in Rhode Island,—the smallest political unit on the Western

Hemisphere. Its microscopic size and great water area, as compared with the land, would seem to preclude the possibility of applying great principles of government and public policy to a sufficiently large body of people to secure a constituency large enough or discrete enough to try out any great question to any wise or ultimate conclusions. There were, however, in the case of the early history of this little Colony, some peculiar facts that seem to upset any preconceived theory as to population or physical area.

The first fact is a physical one and has a large value in favor of littleness. It is this,—Narragansett Bay and its tributaries trisect the area, separating the original settlements one from the other, thereby giving to each an opportunity, as an independent entity, to work out its own problems in its own individual way. Portsmouth and Newport were isolated on the Island of Aquidneck, twenty miles from Providence and fifteen from Warwick, the fourth of the Colonial towns. When long journeys in boats, on rough waters, propelled by the manual of arms, are the only means of communication, men and women are liable to stay at home and in a wilderness country do a considerable amount of thinking on their new life, its conditions and how to make them more tolerable.

Another fact appears in the personnel of the founders of the four Rhode Island towns. It is this —a great variety of types of men appear in these

early settlements. Some were mere adventurers, joining a migration with little of superior motives or large expectancy. Some were land hungry and saw in the Narragansett Country abundant areas for each house holder, like the landed estates of Old England. Some were ambitious to make homes for permanent family life. Some sought freedom from civil restraint,—some an asylum for larger freedom than was granted in Fatherland and a sweeter expression of it than was exercised in Puritan Boston or even in Pilgrim Plymouth.

Our definition of a state is a political community, organized under a distinct government, recognized and conformed to by the people as supreme. It is essential to a state that there be some sort of civil government accepted as valid by its members, who live in a common region or locality. Growing out of the family it has a natural basis in man's social nature and relations, and develops a form decided by its constituency, and a legal basis and standard of ultimate appeal, in essential rights and justice.

The ideas of the men of the first half of the seventeenth century, born of English, French or German stock, were no less broad and substantial. Plymouth, Massachusetts Bay and Connecticut Colonies were founded on these essential foundations, guaranteed by Royal Charters. The civil state was composed of a body of men and women, in general agreement in matters of faith and polity, with an intelligent

understanding of the relations of the individual to civil society.

This community of persons adopts a charter, compact, or constitution, embracing the basic principles of the inchoate state, with conditions and limitations as to freemanship and citizenship, thereby establishing an official organization,—the state,—with all the functions and officials necessary for the institution of orderly government. This compact also defines the quality of the government,—be it Monarchy or Democracy,—and the various needs of local government, that conditions may require. It is of the utmost consequence that rules and laws be established for protecting the right of life, liberty, property and reputation, and the immediate choice and installation of competent officials to attend to the execution of the laws, adopted by the body politic.

These are some of the fundamental ideas of a state,—the germs of a commonwealth,—of the American type. In our body politic of Rhode Island we are to assume the founding of a Democratic state, with absolute freedom of opinion and action in religious concerns. In our study of the state founded by Dr. John Clarke and his associates we shall find all the constituents above enumerated, incorporated into the institutions, laws, civil polity and administrative operations of the towns and Colony of Rhode Island, on Aquidneck, years in advance of any other body politic in the world.

CHAPTER II.

THE PURITAN IN THE MAKING.

Liberty is a very old word. It is found in all languages, but with different local meanings. Thomas Jefferson framed the sentiment in our Declaration of Independence, that all men *"are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness."* The free exercise of the right of liberty has been greatly abridged in the life of the human race, as history records it, and, in multitudes of instances, both life and liberty have been ruthlessly trampled under foot and destroyed. The weak have been made the bond-servants of the strong, and body, mind and spirit have been enslaved to satisfy one or another of the ambitions or passions of the masterful classes among men. The story of "Man's inhumanity to man" is the burden of History. The shackles that have fettered the limbs have been oppressive and galling, but have never been so degrading and humiliating as those which have bound the larger freedom of speech and of worship.

The processes, by which people of various tongues have obtained larger and ever-increasing measures of liberty, constitute the warp and woof of His-

tory. The struggle for body and soul-freedom has been ages long,—at one point and period successful, at others going down in defeat, but all the while the spirit of liberty has never been vanquished.

> "For Freedom's battle, once begun,
> Bequeathed by bleeding sire to son,
> Though baffled oft, is ever won."

It is not the motive of the author nor the purpose of this Story to do more than give a single chapter of this world contest,—the culmination, in the later stages of the Evolution of Civilization, of two great manifestations of liberty, Civil and Religious, and their union in a modern Democratic state. Here and there among men, had each of the principles found expression and partial illustration—the result of vision by men and social orders. Prior to the English Revolution of the Seventeenth Century, however, nowhere on the face of the earth and among civilized men, did civil and soul-liberty jointly exist. It's first clear, full, deliberate, organized and permanent establishment in the world can now be distinctly traced to the Colony of Rhode Island, on the island of Aquidneck, in Narragansett Bay, under the leadership and inspiration of Dr. John Clarke, the true Founder.

In the evolution of modern Democracy, including soul-liberty, the three great nations of Western Europe,—Germany, France and England,—have

been the chief actors,—Germany in the earlier stages, England in the later and France in both. Four events have signally advanced its progress. The first, and probably the most significant and far-reaching, was the first complete translation of the Bible into the English tongue, from the Vulgate, by Wyclif, about 1382. It is impossible, in our day, to appreciate the ardent reception of the Old and New Testament Scriptures by the Western mind and heart. Hebrew history and theology were incorporated bodily into English thought and speech and, in the Puritan Period, Hebrew nomenclature was almost universally adopted, thus restoring patriarchal relations and associations in family life. English literature was enriched by the stories of the Hebrew Captivity and Mosaic Deliverance. The Drama recited the heroic scenes of the Pentateuch, and Psalmody versified, in stumbling meter, the songs of Miriam, Deborah and Ruth and the Psalms of David.

The Hebrew Republic, under Moses as it's great lawgiver, was a type for a modern state, while the teachings of Jesus and Paul taught the brotherhood of men, the fatherhood of God, and the standardization of human society on the basis of equality and fraternity,—the corner stones of Democracy. The Bible was the first and greatest guide the Western mind had ever had to lead it into the path of Liberty, with Jesus as its teacher.

The second great event, in order of time, was the invention of the printing press, in Germany, about 1440. Through its agency in multiplying books,—especially the Bible,—the Western world began to learn to read, in order that it might, for itself, understand the lively oracles of God. Bibles and religious books soon became cheap enough to be the property of every family. The hungry fed on the Bread of Life. The thirsty drank from its fountains.

Martin Luther (1483-1546) was one of the mighty forces that reconstructed church and state in Germany and England, and more than that, as a bold advocate of reforms, temporal and spiritual, he set an example of independent thinking and utterance most salutary for his time. The century, from 1450 to 1550, was remarkable in a great awakening of German and Anglo-Saxon to ethical and spiritual truth, and in the opening of the human mind to freedom of thought and expression. It was the century of Discovery. Columbus gave Spain the sceptre of Western domain. Cabot enlarged the bounds of the New World on both Northern and Southern horizons, while Verazzano, an Italian, sailing under the French flag, explored the Northern Atlantic Coasts and penetrated the recesses of New York and Narragansett Bays.

While these European navigators were opening the doors of a New World, in the West, Copernicus,

of German birth, the navigator of the Heavens, discovered and announced to the world the laws of planetary and stellar motion,—a new Heavens,—the correlate of the new Earth of Columbus and Americus Vespucius.

With the fall of Constantinople, in 1453, Greek scholars fled to the West. A revival in letters, art and philosophy sprang up in Italy, France, England and Germany. South of the Alps, art flourished in the works of Michael Angelo, Titian, Correggio, Da Vinci and Raphael. North of the Alps, science, philosophy, social order, free institutions, law and religion gave character to the "New Learning." The age brought forth Sir Thomas More, Colet, Calvin, Knox, Melancthon, Zwingli and Sebastian Castellio, 1515-1563,—the first great champion of a "free conscience," and of "Toleration in Religious Belief."

The "New Learning" of the schools and universities of England was passionately seized by the English mind. Students flocked to the seats of learning at Oxford, Cambridge and London, or, in humbler ways, found in the new literature of the day, satisfaction and delight in the revelations of ancient Greek or Latin philosophy, law, religion and government. The last two subjects especially occupied the thoughts of men, inasmuch as absolutism on the part of royalty had stirred the people into a conscious revolt against arbitrary and vicious acts in

government, and the teachings of the Scriptures had liberated the minds of the people from the ignorance and superstitions of the established church.

In this age of "Wonderful Awakening" the Puritan was born. This new man was both Catholic and Protestant. As a Catholic, he accepted the great doctrines of the church as taught by the Fathers. His faith in God was complete. His belief in Justification, in Sanctification and in the mediatorial Sacrifice could not be challenged. As a Protestant, he conceived the individual freedom of worship and the rights of the governed in the affairs of state. Magna Charter had a new meaning, in the light of the teachings of Jesus. The freeman and the free state became mental possibilities in the sixteenth century of English history. It was in this period of mental, spiritual and political agitation, the last half of this sixteenth century,—that brilliant epoch of the reign of Queen Elizabeth,—that the American Democracy also was born. This remarkable activity was both destructive and constructive. It destroyed absolutism in Church and State. It constructed a fabric of popular government, in which every man was both sovereign and subject in matters temporal and spiritual. The absolute freedom of the English subject in religious concernments was then set as the corner stone of a new political and spiritual edifice.

The Rev. Robert Browne, founder of the Brownists, now the Congregationalists, (1584), thus defined the relationship of the church and state. "They (the magistrates) may doe nothing concerning the church, but onlie ciuill, and as ciuill magistrates; that is, they haue not that authoritie ouer the church as to be prophetes or priestes, or spirituall kings, as they are magistrates ouer the same; but onlie to rule the common wealth in all outward justice, to maintaine the right welfare and honor thereof with outward power, bodily punishment and ciuill forcing of men." This is a clear, bold utterance of a free conscience of a free church in a sovereign state. Again he writes: "Goe to, therefore, and the outward power and ciuill forcings let us leaue to the magistrates: to rule the common wealth in all outwarde justice, belongeth to them: but let the church rule in spiritual wise, and not in wordlie manner: by a liuelie lawe preached, and not by a ciuill law written." "For it is the conscience and not the power of man that will driue us to seeke the Lordes Kingdom." It is very obvious that Robert Browne taught the independence of church and state and in that doctrine taught also full liberty of the individual conscience in religion. This doctrine was also taught in a "Plea for Liberty of Conscience" by Leonard Busher, 1614, and by John Murton in his two treatises against "Persecution for Religion as Contrary to Divine and Human Testimonies," 1620.

Briefly stated, the situation of affairs in England, as related to civil and religious matters at the opening of the seventeenth century, (1603), was as follows: The seventeenth century opened in the midst of the brilliant literary and philosophical period of English history, inaugurated by Queen Elizabeth, who had still further distinguished herself by a constant and firm control over the English church and state. James the First, ruler of England from 1603 to 1625, asserted the theory of the divine right of kingship and episcopacy, in no degree relaxing the laws on the statute books as to Puritan nonconformity. In 1607, a body of liberal Puritans called Separatists, emigrated to Holland and, in 1620, constituted the Plymouth Colony, which was chartered by James to establish a government on the shores of Massachusetts Bay,—the first of the New England colonies founded on Democracy in government.

England was divided politically into two hostile camps,—Royalist and Puritan. The Royalist was loyal to the King and the Church. He saw in both the safe-guard of all he held dear. He was a reactionist, not a statesman. The heritage of Old England was to him of greater value than any possible future could be. The King, the Court, the Church, the Prelacy were sacred organisms of God's making. He hated the words Freedom, Democracy, Toleration, as devices of the Devil, and would perse-

cute and expel from the Kingdom as demons, all who cherished them. He belonged to the Aristocracy of learning, wealth, chivalry, luxury, and the love for woman. Religion was to him a form, not a sacrament. Life had no great ambitions. Death had no terrors for Cavalier or Red Cross Knight.

"The Puritans," says Macaulay, "were the most remarkable body of men, perhaps, which the world has ever produced." Religion was their chief concern and business. It was an integral element of their daily life. Political matters were religious matters. The liberal Puritan stood for freedom in personal rights, freedom in civil concerns, freedom in faith. The Bible was his guide and teacher in things temporal and things spiritual. Samuel Gorton, one of the founders of Warwick, writing of himself, says, "*I yearned for a country where I could be free to worship God according to what the Bible taught me, as God enabled me to understand it.* I *left* my native country (England) to enjoy *liberty of Conscience in respect to faith toward God and for no other end.*" This "yearning" was the possession of the body of English Puritans, not the exclusive exercise by a few. The right to worship God as conscience dictated was a soul right, by creation,—not man-given. No royal edict proclaimed it. No royal edict could curtail it. The new religion and the teachings of the new Bible taught it. Jesus was its great expounder in the Gospels and Paul in the

Epistles. The great body of martyrs, who suffered at the stake, bore testimony to their love for spiritual liberty. Of great Englishmen, standing in the fore front of the battle, in defence of civil and soul freedom, were John Hampden, gentleman, Sir Harry Vane, scholar, Oliver Cromwell, soldier and statesman. These great souls were types of the great historic life, in which they were leaders, in the contest for soul liberty on English soil. The Puritan age of England and America, the seventeenth century, was an age of great religious faith, an age of heroic independences, an age of over-masterful longing for freedom of worship and the severance of the church and secular governments. The individualistic man had come to demand his rightful kingdom and kingship. The crown was the rightful property of the real Koenig,—the man of kingly character. The tragic end of Charles the First proved to the world that the king could do wrong to his subjects, and that the sacredness of the regal throne was no cloak to conceal the crime and no barrier to protect from its punishment. The elevation of the great commoner, Cromwell, was added proof that the men behind the guns and the ploughs were the real rulers of the state. Out of all that political, social, civil, religious unrest has come stable, constitutional government, a just respect for law, a material prosperity unbounded and an expanding civilization which dominates not only the North American continent, but wields a powerful and a moulding influence in old-world governments.

Of those Pilgrims who came to New England, Mrs. Hemans asks,

"What sought they this afar?
Bright jewels of the mine?
The wealth of seas?
The spoils of war?
They sought a faith's pure shrine."

"Aye call it holy ground
The place where first they trod,
They have left unstained what there they found
Freedom to worship God."

The fact cannot be too strongly emphasized, that the cardinal doctrines of the Puritan body in England were the overturning of arbitrary kingly authority, a large measure of freedom for the average man in civil affairs and conscience liberty for all men. For these and their allied privileges, they stood as the defenders in the great struggle with Charles I. All believed that a man's conscience as to religion was not subject to the laws of the State, as his conduct was. All thought that a man ought to be free to worship God as he pleased, provided he did not interfere with the rights of his neighbors. All believed in "a church without a Bishop, a state without a King." All migrated or were banished "on account of their dangerous and pernicious doctrine," so that when they came to dwell on the shores of a New World they were all in a true sense exiles for liberty's

sake, standing on the same platfrom as to civil and religious matters. Hume says, "The precious spark of liberty was preserved by the Puritans alone." Macauley writes of them, "The Puritans were persecuted with cruelty worthy of the Holy Office. They were forced to fly from the country. They were imprisoned. They were whipped. Their ears were cut off. Their noses were slit. Their cheeks were branded with red-hot iron. But the cruelty of the oppressor could not tire out the fortitude of the victims." * * * "The hardy sect grew up and flourished in spite of everything that seemed likely to stunt it, struck its roots deep into a barren soil, and spread its branches wide to an inclement sky."

In this STORY OF DR. JOHN CLARKE OF AQUIDNECK we have to deal with Puritans and Pilgrims,—men and women of the most profound and settled convictions and of broad vision, who emigrated from Old England to New England to make homes, to found a civil State on the basis of Democracy, with absolute individual freedom in matters of Faith and Worship.

CHAPTER III.

Religious Liberty—Conscience Liberty.

The terms Freedom, Liberty, Religious Liberty or Soul Liberty and Liberty of Conscience are in frequent use by the writers of the sixteenth and seventeenth centuries. The first two are generic and synonymous. The others are particular, relating to specific and well defined areas of thought and experience. Liberty of Conscience is a broad term, inclusive of all matters in the domain of Ethics. It is subjective rather than objective. It is a state, not a relation. It rests on the inalienable right of belief or faith and is another name for convictions or the moral sense. Our convictions are inward possessions, and, if unexpressed by word or deed, are beyond the knowledge of other than the possessor and beyond question by any. My conscience may say there is no God and that I am under no obligation to a Supreme Being. It may deny the immortality of the Soul or the reward of right action and the punishment of wrong doing. My conscience may approve of the liquor traffic. It may lead me to oppose organized government and the ordinances of the civil magistrate. I am at full liberty to hold and cherish

any or all of these convictions. If I give no expression to these ideas, I am safe from criticism or restraint. I may be a thief, an adulterer, a murderer, in thought, motive or conviction, but I am not amenable to the law unless I steal or take the life of a fellow. My conscience may tell me that I ought to drown my child to appease the Gods and save my own soul, but society cannot question my moral judgment until I commit the act or teach the doctrine. This is liberty as to conscience.

But what will civil society say today, if I utter my convictions in the ears of my fellow men? It will say this. If my beliefs as to civic principles and policies run counter to the majority of the society around me and are subversive of the civil organism—the state,—I am liable and justly responsible to such society for judgment on the same. If the state regards my opinions as subversive of its principles and a threat to its life, it would be strangely delinquent in its obligations to its founders and foundations, not to restrain my acts and the public expression of my opinions, however honest and conscientious I may be in their expression. Differences of opinion as to human conduct, laws and civil administration, must and always will exist, but such differences among men are often only differing viewpoints that do not reach the domain of conscience *per se,* much less the narrower but higher realm in matters of personal religion and worship where the religious con-

science holds sway. As between man and man, individual right of conscience or the moral sense is supreme within the bounds of reason. As between man and society and civil government a limitation must be made as to authority and a sharp line of demarcation drawn as to two supreme facts,—the human soul and God. These—the soul and God—live apart, in a superior world, under higher than human laws, within the most sacred Holy of Holies of man's being. In this relationship, absolute freedom of action and of sentiment must exist, and over it civil authority can have no legitimate control. Man can say to the magistrate, "Hitherto shalt thou come but no farther." Soul-liberty and worship is man's castle, which no human being, no court of justice, no magistrate, no law, no civil state, no high potentate can enter with impunity, without human consent. God, the soul, worship, natural and revealed religion, faith, prayer, all spiritual beliefs as to time and eternity are the subject matter of soul-liberty. This is the realm of Religious Liberty, Soul Liberty, Spiritual Liberty. With Madame Roland we cry out, "O Liberty, Liberty, how many crimes are committed in thy name!" Liberty cannot descend to the realm of license to justify illegal or immoral acts. The Decalogue is recognized as a Divine Instrument. I cannot set up conscience liberty in justification of Sabbath-breaking, profanity or adultery. The State licenses the sale of intoxicants. I disbelieve in the policy and disclaim participation in the legislation, thereby keeping

a clean conscience in the full enjoyment of my civic liberty. Public policy is state-craft wherein, in a Democracy, the majority-rule becomes the law of all the people who accept its protection and its provisions. The civic conscience may enter its protest or approval, but in no sense is the doctrine of Soul or Religious Liberty traversed.

John Locke, (1632-1704) in his *"Letters on Toleration,"* restricts and defines "The Jurisdiction of the Magistrate, excluding it from the regulation of public worship or the control of religious beliefs, except so far as such worship or beliefs may interfere with the ends of civil government." "The provinces of a Church and a Commonwealth are distinct and separate and easily well defined. The bounds are absolute." "As to speculative opinions, tenets and practices of any religious community, the civil magistrate has no right of restraint." Locke declared, "No opinions contrary to human society, or to those moral rules which are necessary to human society, are to be tolerated by the magistrate." "Religious orthodox persons, who claim for themselves any peculiar privileges or power above others in civil concernments, or who, upon any pretense of religion or morality, challenge any manner of authority over others not of their faith, have no right to be tolerated by the magistrate as those that will not own and teach the duty of tolerating all men in matters of mere religion." "Those are not to be tolerated who

deny the being of God. Promises, covenants and oaths which are the bonds of human society, can have no hold on an atheist. The taking away of God, though but even in thought, dissolves all."

The Lord Proprietors of North Carolina, in 1663, thus defined Religious Liberty for its citizens: "We will grant, in as ample manner as undertakers shall desire, freedom and liberty of conscience in all religious or spiritual things and to be kept inviolably with them, we having power in our charter to do so." This Declaration was modified by the charter of Charles the Second, 1665. "No person or persons unto whom such liberty shall be given (i. e. who cannot join the Church of England) shall be any way molested, punished, disquieted, or called in question, for any differences in opinion, or practice in matters of religious concernments, who do not actually disturb the civil peace of the province, county or colony that they shall make their abode in. But all and every such person and persons may, from time to time, and at all times, freely and quietly have and enjoy his and their judgments and consciences, in matters of religion, throughout all the said province or colony, they behaving themselves peaceably, and not using this liberty to licentiousness, nor to the civil injury or outward disturbance of others."

The following limitations were declared in 1669: "No man can be a freeman of Carolina or have an

estate or habitation within it that doth not acknowledge a God; and that God is publicly and solemnly worshipped." "No person whatsoever shall speak anything in their religious assembly irreverently or seditiously of the government, the governors, or of state matters."

A revision of the North Carolina constitution in 1876 thus defines Religious Liberty: "All men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience and no human authority should, in any case whatsoever interfere with the right of conscience." As the Carolinas were founded by John Locke and his Disciples it is of interest to note the interpretation given to Religious Liberty by that school of philosophy.

The Bill of Rights of Massachusetts, adopted in 1780, defines and limits Religious Liberty as follows:

"Art. I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

"Art. II. It is the right as well as the duty of all men in society, publicly, and at stated seasons to worship the *Supreme Being,* the great Creator and Preserver of the Universe. And no subject shall be

hurt, molested, or restrained in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience: or for his religious profession of sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship."

The Maryland Constitution of 1776 is quite in keeping with the statutes of other states.

"Art. 36. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty: wherefore no person ought, by any law to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the state, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights."

A careful study of these constitutional provisions as to Religious Liberty shows that full protection is assured to the citizenship in matters of religious faith and worship, with the proviso that no person can, "under the color of religion," or right of Conscience, "disturb the good order, peace or safety of the State," or "injure others in their natural, civil or religious rights." By these fixed standards we may measure the claims of those who may worthily and rightfully wear the honor of Founders of Religious Liberty.

CHAPTER IV.

Boston, the Preparatory School of a Free Commonwealth in Rhode Island.

The Colonization of North America, in the seventeenth century, found its source and inspiration in the love of and the demand for a larger measure of civil and religious freedom than was then possessed by the English people. Personal liberty was a strong passion of the Anglo-Saxon race and mind. The great middle class of British subjects had absorbed the doctrines of the Reformation and their minds had become thoroughly saturated with the teachings and idealism of the Old and New Testament Scriptures, including the Apocrypha. With the introduction of the Bible, the homes of the common English people became a school of religious and of theologic discussion. The history and doctrines of the Bible were matters of daily converse at the fireside, on the street, in the market places and in politics. The children were baptized into Hebrew names. Large portions of the Bible were committed to memory. Moses, David, Isaiah, Jesus and Paul were familiar characters of daily study. The Bible was not only ac-

cepted as a guide in personal religion and human rights, but as a great text book of literature, often the only book in the family. Its leading stories were dramatized and made real and popular to the mind and heart.

It is no wonder then that civil freedom became the waking dream of common English folks and that freedom in thought and worship, as revealed in the New Testament, should become the earnest desire of a people, newly-born into the life of the Spirit. Democracy was now esteemed a divine right of the Commons, as Monarchy had been and was then regarded by the Aristocracy as the divine right of the King. The right of the people to choose their own rulers and make their own laws was only a harking back to the days before the Witenagemot when manhood was sovereignty. These Britons did not need to study the Democracy of the Greek Agora and of the Roman Forum, for their own fathers had practised in that school in the forests of Germany and on the shores of the North Sea. As to soul-liberty, the most sacred and inalienable of human rights, every sword of persecution drawn and every fagot lighted at the stake was the harsh protest of tyranny against the essential truth that the soul of man must ever be free to choose, love and worship.

John Fiske says of the Puritans: "Their principal reason for coming to New England was their dis-

satisfaction with the way in which affairs were managed in the old country. They wished to bring about a reform in the church, in such wise that the members of a congregation should have more voice than formerly in the church government and that the minister of each congregation should be more independent than formerly of the bishop and civil government. * * * Finding the resistance to their reforms quite formidable in England, and having some reason to fear that they might be themselves crushed in the struggle, they crossed the ocean in order to carry out their ideas in a new and remote country, where they might be comparatively secure from interference." Another soul-compelling motive in the Colonization of New England was the spread of the Gospel and the conversion of the heathen. In *"The Conclusions for New England,"* as prepared by Mr. John Winthrop, in 1629, is the following consideration: "3. It is the revealed will of God that the Gospel should be preached to all nations and though we know not whether these barbarians (the Indian tribes) will receive it at first or noe, yet it is a good worke to serve God's providences in offering it to them." It is clear that the whole body of the early Pilgrims was moved, first and foremost by a deep religious sentiment, thereby constituting the whole body of emigrants a missionary migration for saving the Indian Races through Christ for Christianity.

The English men and women who first made homes on Narragansett Bay came through the Massachusetts Bay Colony, and made their first acquaintance with New England, in and around Salem and Boston, subsequent to Sept., 1628. A few were men of some property. Most were from the yeoman class, able to read and write. All claimed to be Puritans of varying degrees, from Brownists to professed adherents of the "dear mother-Church of England, even acknowledging that such hope and part as we have obtained in the common salvation we have received in her bosom and sucked it from her breasts."

Among those who were the leaders and the most influential in determining the character of the groups of settlements on Narragansett Bay and in directing their civil and religious policies were William Coddington, Roger Williams, William Harris, Samuel Gorton, William and Anne Hutchinson, William Arnold, John Coggeshall, Nicholas Easton, Chad Brown and John Clarke. To these we may add the names of Governor John Winthrop and Rev. John Wilson, minister of the First Church in Boston, as influential factors of the Bay Colony in establishing conditions leading to the exclusion of the citizenship that founded Rhode Island. It is well worth our while to note a few antecedent facts relative to several of these persons, on whose later beliefs and acts our historic conclusions are based.

As Old England was the mother land of New England, so was Boston in Massachusetts Bay Colony the mother of the towns of Portsmouth and Newport in Rhode Island Colony, in that for several years most of the founders of the Rhode Island towns had had their homes and their training in civil government in Boston, and out of a great movement in that town for religious freedom had arisen the spirited leaders for religious freedom in a new civil state.

William Coddington came from England on the ship Arbella with John Winthrop, Sir Richard Saltonstall, Isaac Johnson and his wife Lady Arbella, reaching Salem Harbor, Mass., June 12, 1630, in company with a fleet of ten other ships and 700 passengers, 200 of whom returned to England on the vessels which brought them, on account of the discouraging outlook for the colonists. That his home was at Boston, England, appears from the record that Archbishop Laud had silenced Rev. John Cotton, the minister of the church at Boston, and fined, for non-conformity, his leading supporters, William Coddington and Richard Bellingham, prior to 1629. William Coddington was born in Lincolnshire, England, 1601, of a well-to-do family. As this part of England was the centre of the Pilgrim uprising, it is probable that Mr. Coddington imbibed and accepted in youth the more liberal views of that section, and at the age of twenty-nine, with his wife, Mary Moseley, came to New England. Before setting sail

from England, April 8, 1630, the "Farewell Letter" of the whole company (more than eight hundred souls), signed by John Winthrop, William Coddington, Thomas Dudley, Isaac Johnson and Richard Saltonstall, was addressed to "The Reverend Fathers and Brothers" of the English Church from which they were now to part. Nothing, in the annals of New England or Old, can be found more tender or more noble than this letter, furnishing the key note of the whole enterprise and illustrating the character and spirit of those engaged in it.

At a meeting of the Governor and Assistants at Southampton, England, March 18, 1629-30, William Coddington was chosen an Assistant to the Governor, with Mr. Simon Bradsteet, an office to which he was annually elected until 1637. He was chosen as Treasurer of the Massachusetts Bay Colony in 1634, holding that office for two years, when, in 1636, he was again elected as an Assistant, holding that office or a Deputyship in the General Court until March 12, 1637-8 when he, with Mr. John Coggeshall, William Baulston, Edward Hutchinson, Samuel Wilbour, John Porter, John Compton, Henry Ball, Philip Sherman, William Freeborn, and Richard Carder "having license to depart," left the Bay Colony to establish a new colony on the shores of Narragansett Bay.

During the eight years of Mr. Coddington's residence in Boston he was a merchant, successful in

business and popular as a citizen and magistrate. His fair estate, probably equal to that of Governor Winthrop, enabled him to erect the first brick house in Boston. In 1635, a committee was chosen to bound land for farms for William Coddington and Edmund Quincy at Mount Wollaston, now Quincy, Mass.

The first town records of Boston, dated Sept. 1, 1634, give the names of the Town Council as follows: John Winthrop, William Coddington, John Underhill, Thomas Oliver, Thomas Leverett, Giles Farnum, John Coggeshall, William Pierce, Robert Harding and William Brenton. Four of these town officers became residents of Aquidneck. Of the Town Council of Boston in the year 1636, six, one-half the whole number, were to become associate founders of Newport. Their names were William Hutchinson, John Coggeshall, John Sanford, William Aspinwall, William Brenton and William Baulston. In 1635, Mr. Coddington was on Committee on Military Affairs and in 1636 was made a Justice in Courts.

The First Church of Boston was formed at Charlestown, Mass., Aug. 27, 1630. On its rolls are to be found the names of William Coddington, Mary, his wife, Nathaniel Woodward, Margaret Skeele, Anne Essex and Anne Dorryfall, "four servants to our brother William Coddington." Other names of members of the First Church of Boston, whom we

shall meet later at Aquidneck, were William Aspinwall, wife Elizabeth and servant Robert Parker, Robert Harding, William Baulston and wife and servant Elizabeth Chalmers, Edward Hutchinson and wife Sarah, Samuel Wilbour and wife Anne, John Coggeshall, wife Marie and servants Anne Shelley and Judith Garnett, Edward Hutchinson, Jr. and wife Katharine, William Hutchinson, wife Anne and Richard, Francis, Bridget and Faith, their children, William Brenton, wife Dorothy and servants Anne Nidds, Sir Harry Vane, William Dyer, wife Mary, John Sanford, Thomas Savage and others.

John Coggeshall was born in Essex County, England, in 1591, and at the time of the Puritan exodus was a silk merchant. In 1632 he with thirty-two others signed the oath of allegiance "being about to depart for New England" and sailed within a day or two, with his wife Mary and children, John, Joshua and Ann, in the ship Lyon, which arrived at Boston, Sept. 16, 1632. He was made a freeman of the Bay Colony in 1632, and was chosen Deacon of the First Church. He was a selectman of the town of Boston in 1634 and a Deputy in the General Court 1634-5-6-7 and held several other offices in the town of Boston. On Nov. 2, 1637, he was removed from the office of Deputy for affirming that Rev. John Wheelwright of Boston was innocent of the charges made and that he was persecuted for holding to the truth. At the

same time he was disfranchised and warned not to speak anything to disturb the public peace on pain of banishment.

Nicholas Easton, born in Lymington, England, 1593, came to New England with wife, Christian and two sons, Peter and John, in 1634, settling first in Newbury and later in Boston. Nov. 20, 1637, he and others were warned to deliver up all guns, pistols, swords, shot, etc., because "the opinions and revelations of Mr. Wheelwright and Mrs. Hutchinson have seduced and led into dangerous error many of the people here in New England."

John Clarke was born Oct. 8, 1609, in Westhorpe, Suffolk Co. He was unusually well educated for his time, although we have no record of his school or college life. He styled himself "a physician of London," and in his will he gives to his dear friend, Richard Bailey, his Hebrew and Greek books, also a Concordance and Lexicon written by himself, the fruit of several years' study. He married Elizabeth, daughter of John Harges of Bedfordshire, but left no issue. In 1652, Dr. Clarke published in London a book styled *"Ill Newes from New England"* in which he introduced the substances of a tract issued in 1651, touching New England and particularly Rhode Island, in which he discourses on the occasion of his going out with others from Massachusetts Bay. As this record of Dr. Clarke is the first re-

liable statement of a participant in the events he relates, it is worthy of special attention. "In the year 1637 I left my native land, and in the ninth month of the same, I (through mercy) arrived in Boston. I was no sooner on shore, but there appeared to me diflerences among them touching the covenants, and in points of evidencing a man's good estate, some prest hard for the Covenant of works, and for sanctification to be the first and chief evidences; others prest as hard for the Covenant of grace that was established upon better promises, and for the evidence of the spirit, as that which is a more certain, constant and satisfactory witness. I thought it not strange to see men differ about matters of Heaven, for I expect no less upon Earth. But to see that they were not able so to bear with others in their different understandings and consciences, as in these uttermost parts of the world to live peaceably together, whereupon I moved the latter, for as much as the land was before us and wide enough with the profer of Abraham to Lot, and for peace sake, to turn aside to the right hand or to the left. The motion was readily accepted and I was requested with some others to seek out a place."

William Arnold and his descendants have cut a large figure in the history of our state. William I, son of Thomas, of England, was born in Dorset County, England, June 24, 1587. His wife was Christian Peak. He sailed from England with his

family May 1, 1635 and landed in New England June 24, 1635. According to the records of his son Benedict, who was Governor of Rhode Island for ten years, between 1663 and 1679, Mr. Arnold and his family came to Providence April 20, 1636, at least two months in advance of Roger Williams. In 1638 he became the first settler at Pawtuxet, present Warwick, and was one of the twelve first members of the Baptist church at Providence, 1639.

Samuel Gorton was born at Gorton, Lancaster County, England, 1592 and died at the ripe age of 85, in Warwick, P. I. His occupation in England was that of a clothier. He arrived at Boston with his wife Elizabeth and children, March, 1637, spent a year or two at Boston and Plymouth, and joined the Portsmouth settlement, April 30, 1639. His religious training was received in the English church. In an address to Charles the Second he wrote, "I drew my tenets from the breast of my mother, the Church of England." While he ever held firmly to her doctrines, yet in practice he was a conscientious Nonconformist. Mr. Gorton was one of the best educated men of the New England Colonies, having been taught by able tutors in preparation for the clergy, pursuing a thorough classical education and becoming an accomplished scholar, skilled in the languages and learned in English law. His library contained "the standard volumes in which the ancient statutes were written." In law, politics and theology Mr. Gorton

was a thorough student and his writings show him to be a logical thinker and a sharp debater. He was an able defender of the rights of the people in a civil state and advocated full provisions for a liberal education for all, "not scrupling any civil ordinance for the education, ordering or governing of any civil state." His wealth probably exceeded that of any other settler in the Narragansett Bay towns.

Mr. Williams' opinion of him was expressed thus: "Master Gorton, having abused high and low at Aquidneck, is now bewitching and bemadding poor Providence, both with his unclean and foul censures of all the minsters of this country and also denying all visible and external ordinances in the depths of familism."

Mackie writes another view of Mr. Gorton: "He was one of the noble spirits who esteemed liberty more than life, and, counting no sacrifice too great for the maintenance of principle, could not dwell at ease in a land where the inalienable rights of humanity were not acknowledged or were mocked at." "I left my native country," he said, "to enjoy liberty of conscience in respect to faith toward God and for no other end."

Samuel G. Arnold, the historian, held Gorton in high esteem. He says, " He was one of the most remarkable men that ever lived. His career furnishes an apt illustration of the radicalism in action which

may spring from ultra conservatism in theory." * * * "His astuteness of mind and his Bibical learning made him a formidable opponent of the Puritan hierarchy, while his ardent love of liberty, when it was once guaranteed, caused him to embrace with fervor the principles that gave origin to Rhode Island."

These men and their associates had assisted in laying the foundations of the ancient town of Boston, some of them from its beginning, in 1630. As most of the founders of Aquidneck were members of the First Church of Boston, it may be safely assumed that they were a people of godly walk and conversation,—not mischief makers nor disturbers of the peace of the town. That they intended to make Boston their permanent home is evident from the fact of land ownership, erection of comfortable houses, clearing the land, laying out and planting gardens, etc. As already stated, Mr. Coddington shared the highest honors of the Bay Colony with Governor Winthrop, John Endicott, and others of the first rank. Their wives set the standard of social and intellectual life of the town. We imagine that popular amusements were few and that the household duties of housewives in a new town in a wilderness were most laborious and engrossing, yet, we must believe that quiltings and afternoon teas did afford privileges of social acquaintance and true fellowship quite as substantial and soul-satisfying as more elaborate, costly and fashionable modes of social in-

tercourse of the twentieth century, in the metropolis of New England. While it was a day of small beginnings in the homes, in town affairs and in Colony interests, it is fair to conclude that the men and women and children of Boston, in 1630-38, had their hands full of hard work, their minds full of thoughts and new contrivings and their hearts full of human interest and achievement. This school in the wilderness, on the shores of Massachusetts Bay, was a grand preparation, through experience, hardship, discipline, courage, faith, for later and more vigorous duties and responsibilities awaiting them below the horizon of their daily vision and expectation, in a new field of action.

But pioneer life in Boston had more serious and important functions than the daily ministries of home and communal duties. The founding of a town, in a new land, on new lines, was no easy task for men of the common mould, coming from manors, hamlets, towns and counties, centuries old. Municipal government, fitted to a new social and civic order, required knowledge of public affairs, organizing ability, executive force, wise and prudent councilling. A new and untried principle,—majority rule,—was the keynote of the new community at Boston. Coupled with it was the Puritan ideal of religious freedom, as yet an infantile thing in swaddling clothes. No one dared to remove the bands, lest its expanding life would usurp undue proportions and functions. Here

were problems of statecraft so large in their possibilities that they involved the foundations of the State and the Nation. It is not a figure of speech to state that the Massachusetts Bay Colony, the New England Compact and the United States of America had their birth in the civil constitutions and administrations of Plymouth and Boston. Was it not De Tocqueville who said that the orderly town government of Boston and Dorchester had exercised a "most prodigious influence" on the history of New England?

At the outset, Boston people set up housekeeping and town-keeping together, and in the latter they showed great wisdom as well as skill in the selection of their magistrates. Their officials in the order of their choice, if not their rank, were selectmen, town clerk, town treasurer, constables, surveyor of highways, pound keeper, hog-reeve, water bailiff, town recorder, town crier, etc. Among institutions of a public nature were the meeting house, which in that early day was also the town house, the stocks, the pillory, the whipping post, a house of correction, the gallows.

The judiciary of the town was vested in the Court of Assistants, the Governor presiding. It is a fact of great interest that the first recorded act of the Boston court was to decide "How the ministers should be maintained," when it was ordered that houses should be built for them with convenient speed, at

the public charge. William Coddington was a member of this court from 1630 until his departure from Boston in 1638. In 1634, of the ten selectmen or townsmen, the governing board in town affairs, William Coddington, John Coggeshall, Robert Harding and William Brenton were members.

In 1636, William Hutchinson, John Coggeshall, John Sanford, William Aspinwall, William Brenton, William Balston, constituted one-half the legislative and executive body of the town, and all later organizers of the towns of Portsmouth or Newport or both. In the Colonial General Court, Aquidneck had the honor of having William Coddington and Gen. Thomas Savage as assistants to the Governor. As Representatives to the General Court of the Bay Colony were William Hutchinson, John Coggeshall, William Brenton, Harry Vane, William Coddington and William Aspinwall.

The Representatives and Selectmen of the town, as the uniform custom of New England was, were chosen from the citizens of the highest standing. They exercised very considerable powers and enjoyed the confidence of the community. They were chosen by the free vote of the governed, and it is evident, from many sources, that they were the recognized leaders of the town of Boston. As such, they studied the problems of communal life, as presented in a new country, under strangely new conditions, with a savage environment.

A close study of the town records of Boston shows how intimately the settlers of Aquidneck were related to all the business and official services of the town. It appears that in every office, major or minor, of the town, some one of the Rhode Island men was chosen for its fulfillment. Let me note a few instances, with a bill of particulars.

John Coggeshall was a silk merchant in Boston. He was made a freeman in 1632, being then forty-one years of age. In 1634, he joined the First Church of Boston and was elected a deacon, holding the office until his removal to Aquidneck. In 1634, he gave £5 towards the sea fort. The same year he was chosen one of the overseers of powder, shot, etc. 1634, he was elected a selectman of Boston. 1634-5-6-7, he was elected a deputy from Boston in The General Court of The Bay Colony. 1635, Mar. 4, he and others were authorized to board vessels after twenty-four hours at anchor, take notice of what commodities they had to sell, confer about price, etc. 1636, May 25, he was appointed on a committee to make a rate for tax levied on the towns.

1630, William Coddington became a merchant of Boston, and, having ample means, built the first brick dwelling in Boston at the very centre of the town, near the site of the present City Hall, between it and Washington Street. In addition to the high positions of Assistant, 1630-1-2-3-4-5-6-7, and Colonial Treasurer of The Bay Colony, after an absence of

two years in London, he was chosen as an overseer of bridge building, was one of the Committee on Military Affairs of the Colony and in 1636 was chosen as a Judge of the County Court of Boston and adjoining towns.

William Brenton, in 1634, the same year he was made a Freeman, was chosen to oversee the building of a House of Correction at Boston. He was a Selectman for Boston, 1634-5-6-7. In 1635, he was appointed on a Committee to consider the act of Mr. John Endicott of Salem in defacing the flag by cutting out the Cross. The same year, he was to furnish, "at the public charge," all that which is necessary to be done at the prison at Boston. He was a Deputy to the General Court of the Bay Colony for the years 1635-6-7.

William Hutchinson, husband of Anne Hutchinson, was made a Judge in the County Court at Boston with William Coddington. In 1635-6, he was a Deputy in the General Court of the Bay Colony. In 1636, Mr. Hutchinson, Mr. Coddington and Mr. Brenton, with all the other Judges, were fined five shillings apiece for "being absent at 9 of the clock" in opening the Court at Boston. Mr. Hutchinson and Mr. Coddington both owned farms at Mt. Wollaston, now Quincy, Mass.

Mr. Hutchinson owned the land on the corner of School and Washington Streets, Boston; built his first

house and resided there until his removal to Portsmouth in 1638. Mrs. Hutchinson was a physician and midwife in Boston.

William Baulston was made a Freeman of Boston in 1630; was a juryman on a murder trial the same year; was town sergeant of Boston in 1634 and was licensed "to keep a house of entertainment and to sell such claret and white wine as is sent for," in 1637.

Much more could be said of the important services, individual and collective, of the Aquidneck settlers, in the founding of Boston, and the first eight years of the development of social order, civil government and a church of the Puritan faith. It must be clear to all that they held the first rank as Christian citizens, and that they shared the highest honors of the town and colony with Winthrop, Endicott, Bradstreet, Bellingham and Dudley. The home and church life of the people was participated in by the founders of the Rhode Island Colony. Their experiences in all the various offices and functions gave them the opportunity to judge of the excellency and defects in organization and administration in civil and religious concerns in the Bay Colony. The lessons thus learned in practical, daily life were inwrought into their mental thought and became the guiding principles in the establishment of a new state. As The Story of Dr. John Clarke develops, we shall clearly see the fruits of the Boston planting

in the new towns and Colony on Aquidneck. "Magistracy" under Law was the keystone in the structure of the English State. It held the same vital position in the Puritan Commonwealth of the Bay Colony and later in the new Colony soon to be planted in the midst of Narragansett Bay.

Concerning the founders of Rhode Island Colony on Aquidneck it may be said that they were a select people in education, in property, in character and in motive for a new settlement. It will appear that the Colony was born in Boston; that most of its members had spent from two to seven years in assisting in the founding of that town; that most of them as Callender states "were long esteemed as brethren of the church and never censured by the church at all" and "were Puritans of the highest form"; that a large number of the men had held the highest positions of trust and honor in church and state; that, according to historian Arnold they were people "for the most part, from a superior class in point of education and social standing, which for more than a century secured to them a controlling influence in the Colony"; that, according to the same authority, "their plans were more matured at the outset than those of the Providence settlers; that their object was to lay the foundation of a Christian State, where all who bore the name might worship God according to the dictates of conscience, untrammelled by written articles of faith, and unawed by the civil power."

Mr. Richman in "Rhode Island, A Study in Separatism" writes as follows of the two settlements, Aquidneck and Providence: "As contrasted with each other, the island was refined, flourishing, aristocratic, while the main land was primitive, poor and plebian." Still further he writes, "Now that the island of Aquidneck had become a political entity, the contrast between it and the entity (or non-entity) Providence was marked in the extreme. By Providence there was symbolized individualism both religious and political—a great centrifugal, disjunctive and even disruptive. By Aquidneck (and especially by the Newport part of it) there was symbolized collectivism —a collectivism thoroughly individualized as to religion, but in politics conjunctive and centripetal." Two sentences more vitally pregnant with truth, than the above, have never been written concerning the John Clarke and the Roger Williams towns, on Narragansett Bay.

The Colony of Rhode Island on Aquidneck was founded on the clear recognition of the rights of the individual man in civil and religious concerns and was made up of a body of men and women who by years of mutual acquaintance and fellowship had formed a social, political and religious union in advance of their new organic life;

"Men, high-minded men,
Men who their duties know,
But know their rights, and, knowing, dare maintain."

CHAPTER V.

ANNE HUTCHINSON'S SCHOOL OF CIVIL AND RELIGIOUS LIBERTY.

In a previous chapter we have shown the advent and growth of new and hitherto untried principles of town and colonial government at Boston, and have also shown that the great body of future citizens of the Colony of Rhode Island (Aquidneck) had adopted and practised these principles and methods for a period of years,—long enough to test their value in actual colonial life.

The first four years of Boston history—1630-1634—was a period of social and civic acquaintance and adjustment. Protection from local perils and the safe-guarding of colonial rights of franchise made social, political and even religious unity an absolute necessity. A hostile home government in England might at any moment, and, without just cause, put an end to local government and make the political life of Boston people more burdensome than it had been in their native land, while a hostile Indian raid might at any moment, by tomahawk and torch, wipe out the infant settlement. In union was safety. The

next four years was a period of differentiation, singularly enough, along lines of most abstruse religious thought and denominational cleavage, involving, under the hard and obscure title, Antinomian, the most vital elements of Civil and Soul Liberty. By it Boston became the storm centre, not only of debate but of deep-seated and violent hatred, divisions of social circles and families, of church excommunications, and of banishment.

Concerning this remarkable mental and spiritual phenomenon, which stirred the whole New England pioneer life to its deepest depths, Mr. Charles Francis Adams of Boston, late President of the Massachusetts Historical Society, writes as follows: "In its essence, that controversy was a great deal more than a religious dispute; it was the first of the many New England quickenings in the direction of social, intellectual and political developments,—New England's earliest protest against formulas." * * * * "It was designed by no one. No one at the time realized its significance. It was to that community just what the first questioning of an active mind is to a child brought up in the strictest observance of purely conventional forms." * * * * "They represented the ideas of extreme civil liberty and religious toleration." * * * "The issue between religious toleration and a compelled theological conformity, was as a matter of established policy, then to be decided. It was, and the decision lasted through five generations." * * * * "For

good or evil, it committed Massachusetts to a policy of strict religious conformity." * * * * "The domination of 1637 was not disturbed or seriously shaken until the era of the Unitarian movement under Channing, in 1819."

The home of William and Anne Hutchinson, Boston, was the scene of the most active discussions and resolves that exercised the minds and determined the acts of the whole body of the new metropolis, and Anne Hutchinson was the leading spirit in this strife of tongues.. The Hutchinson family arrived in Boston Sept. 18, 1634,—a year after their favorite minister and teacher, Rev. John Cotton, who was the preacher at the old St. Botolph's Church, in Boston, England. Anne Hutchinson, whose maiden name was Marbury, had attended and richly enjoyed the liberal teachings of Mr. Cotton and his removal to Boston, in the Bay Colony was a strong magnet to draw the Hutchinsons thither. William Hutchinson was the grandson of John Hutchinson, a former Mayor of Lincoln, England. A descendant is found in Thomas Hutchinson, Governor of the Massachusetts Colony. Mr. Hutchinson possessed a good property and located his first house in the centre of the town, with Gov. John Winthrop as his nearest neighbor, on the opposite side of the street. Mr. and Mrs. Hutchinson with their adult children joined the First Church, Boston, soon after their arrival, having Rev. John Wilson and Rev. John Cotton as pastor and

teacher. Rev. Thomas Weld, their most bitter enemy tells us that the wife was "A woman of a haughty and fierce carriage, of a nimble wit and active spirit, and a very voluble tongue, more bold than a man, though in judgment and understanding inferior to many women."

Governor Winthrop calls her a woman "of a ready wit and bold spirit" and her husband "a man of very mild temper, and weak parts and wholly guided by his wife." The historian Palfrey speaks of Mrs. Hutchinson as "a capable and resolute woman," and "a kind and serviceable neighbor, especially to persons of her own sex in times of sickness; and by these qualities united with her energy of character and vivacity of mind, she acquired esteem and influence." Mr. Charles Francis Adams says of her, "Born about the year 1600, during the time she lived in Boston—a little less than four years—Anne Hutchinson was a woman in the full vigor of life, of a strong religious instinct, and a remarkably well-developed controversial talent, wonderfully endowed with the indescribable quality known as magnetism."

Rev. Dr. George E. Ellis of Boston estimates Mrs. Hutchinson as "a pure and excellent woman to whose person and conduct there attaches no stain. She first became known for her kind and helpful services, friendly and medical, to her own sex in their needs. * * * * a woman of 'nimble wit' and a high spirit—gifted in argument and ready speech."

Mr. Rufus M. Jones, author of "Quakers in America," styles Mrs. Hutchinson "the pre-Quakeress of New England." "The first teacher in New England of the doctrine of the inner light of God in the soul."

Mr. William B. Weeden in "Early Rhode Island" speaks of Anne Marbury as a parishioner and beloved disciple of Rev. John Cotton in England, "who soon outgrew the parson's teaching for she assimilated theology and philosophy as readily as she took her mother's milk." * * * * 'In intellect and vigor of temperament she would have been remarkable in any time or place; she was extraordinary when women were expected to listen humbly, and in no wise to create any function of their own. Nothing astonished her prosecutors and judges in Massachusetts more than her mastery of a situation, her speaking at will or holding her tongue under provocation."

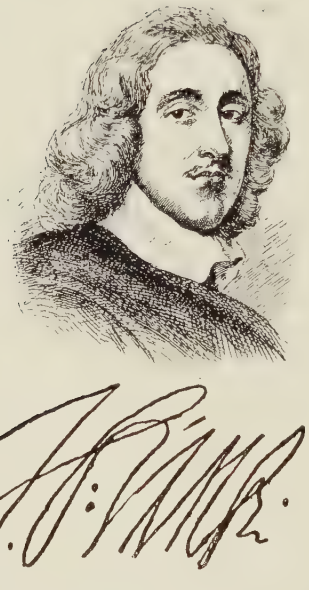
Here, evidently, is a woman of power, of vision, of mental vigor and clearness, and of moral and religious convictions. She is strong enough in her own rights to set at naught the traditions of men as to a woman's sphere in the church and in society and opens her house, once and often twice a week, for a meeting of the women of Boston to discuss the live questions of church and state. She goes even further and invites the leading men of Boston to sit with the women and to discuss, in this first open Forum in America, or of its kind in the world, the topics of the

hour. It is not a school of tattlers or scandal mongers. All are serious Puritans, debating serious matters, and a most serious woman presides and sets the keynote of the thinking body of town folks, who crowd her "large and commodious house" to the doorsteps, so vigorous is the tone of the debate, so practical, to their time, the themes discussed. Mrs. Hutchinson has won her way into the heart of Boston society by her sympathetic and helpful services as midwife to young mothers and a domestic physician and nurse to the sick of both sexes. Boston society responds quickly to her invitation to her house and hospitable entertainment. But readiest of all Boston lends a quick ear to her discussion of magistrates and town government, to her views of household economics and child training, and most particularly to her views of religious doctrines and discipline as presented by the minister and teacher of the First Church, Rev. John Wilson and Rev. John Cotton.

In matters of religion and theology Anne Hutchinson was a seer, a prophetess, "a Daniel, come to judgment." Three great spiritual concepts possessed her. She believed that the human soul could and did hold close communication with the Divine Over-Soul. She believed in direct and special revelations from the Divine to the human,—from God to her own soul. She also believed in a spiritual justification of the soul of man, with God, through Faith. She clearly

and fearlessly declared herself a teacher of the doctrine of justification through Faith, rather than of sanctification through works. The former she styled "The Covenant of Faith," the latter "The Covenant of Works." These doctrines constituted what was styled "Antinomianism"—a word of obscure and of little value except as an historic relic in the museum of antiquated theology.

Mrs. Hutchinson's intensely practical temper led her to make application of her teachings to her own church and its ministers. She openly asserted and constantly affirmed that Rev. John Wilson was only a cold formalist, living in and teaching "The Covenant of Works." So far did she carry her dislike to the doctrine and its teachers, that she would walk out of the meeting house whenever Mr. Wilson and others of his thinking began to preach, and many, of like belief with herself, followed her example. Her favorite teacher, Rev. John Cotton, was to her mind, a true disciple in "The Covenant of Grace," as was Rev. John Wheelwright, her brother-in-law, the minister of the church at Braintree, Mass. Mrs. Hutchinson's kindly spirit and generous services had won the hearts of the people of Boston. Her earnest arguments, clothed in winning words, won their intellectual assent and cordial adherence, so much so that the audiences at her Thursday afternoon meetings were larger than those at the First Church on Sundays.



SIR HARRY VANE

The leading men of Boston as well as the women became adherents to her teachings and at one time all but five members of the First Church claimed to be her followers. Among them were William Coddington, Sir Harry Vane, Governor, and the whole of the Aquidneck delegation. Gov. Winthrop stood with Rev. John Wilson in opposition to Mrs. Hutchinson. Outside of Boston, the ministry were unanimously opposed to her doctrines and teachings and when she declared the clergy of The Bay Colony to be "cold formalists," "dead, without a name to live," "whited sepulchres," "hypocrites," "false teachers," etc., etc., they felt, that, unless this new sectarian was silenced, their holy craft was in great danger of an ignominious overthrow, and that downfall would be due to a woman! Was not the colony a theocracy? Was not God's Word the rule of life in the new state? Was not the ministry the interpreters and teachers of that Word? Shall Heresy be allowed to destroy a Puritan Commonwealth? Shall the ministry, the church, the theocracy, the new order of statehood go down under the assaults of a feminine foe "whose tongue was as a sword and her sex a shield?" The voice of the clergy of the Bay Colony was almost as the voice of one man in an emphatic determination to put down this persistent advocate of adjudged pestilential and heretical doctrines. Rev. John Cotton and Rev. John Wheelwright aligned themselves with the Antinomian cause, although in the case of Mr. Cotton, his atti-

tude was later changed to one of opposition to his former English parishioner and favorite.

For four year,,—1634-1638—Mrs. Hutchinson had taught a new Revelation as to Church and State. In the midst of much debate that, in our time, seems incoherent and meaningless, this new school emphasized certain great, essential principles of modern Democracy, or what Mr. Lodge calls at that age liberal Puritanism. The open Forum at the Hutchinsons was none other than the free and untrammelled debate of the New England town meeting, in which John Adams tells us our liberties were first asserted and assured. Liberty of thought and speech were not only claimed as the right of freemen, but was fully illustrated and confirmed. But liberty of thought and expression is only another name for Religious Liberty and it is not too much to affirm that in the Hutchinson School there was, for three years, the most absolute exercise of Religious Freedom, as a basic principle of a Free State.

Still more, the larger conception of a Free Commonwealth was evolved, in which all classes of people, —clergy and laity, the rich and the poor, the learned and the unlearned,—stood as equals before the law, with rights as to life, liberty and justice, unabridged, except as forfeited by crime, or lost by incompetency. It is difficult to construct a broader platform in concerns civil, social, economical and religious, than we

find claimed, advocated and for a brief time enjoyed, in the Hutchinson Free State, at the corner of Washington and School streets, Boston, in the Bay Colony. 1634-1638. Even the claimants for the rights of man, irrespective of sex, may assume Anne Hutchinson of Boston as their leader and first great advocate and practitioner, so far as the conditions of her time made such claims and practise valid.

Rev. John Wheelwright, minister to the Congregational church at Braintree, born at Alford, Lincolnshire, 1592, was a non-conformist preacher, learned and eloquent and withal a defender of "The Covenant of Grace." On a Fast Day in January, 1637, he delivered what Mr. Adams calls "the most momentous sermon ever preached from the American pulpit." The sermon was a masterly defence of "The Covenant of Grace," as taught by Mrs. Hutchinson and himself, "against pagans and anti-Christians, and those that runne under a Covenant of Works." It was a bold affirmation of a spiritual faith in opposition to a worldly, unspiritual orthodoxy. In March, 1637, the General Court declared Mr. Wheelwright guilty of contempt and sedition, deferred the sentence, and changed the seat of government to Cambridge, as Boston was in full sympathy with the accused minister. Troublous days are on at Boston. The spring election turned on the issue as to "The Covenants,"—orthodoxy triumphed. Governor Vane was defeated.

Coddington failed of an election as an Assistant, and all of Mrs. Hutchinson's adherents on the general ticket were defeated. Fisticuffs were engaged in by the most devout and Pastor Wilson climbed a tree to harangue the voters, all of whom were church members. Vane soon went back to England. Coddington was elected a Deputy to the General Court from Boston, as were William Aspinwall and John Coggeshall. Rev. John Cotton saw a new light in the election returns and was "won over to an uncompromising orthodoxy." Winthrop, Governor, and Endicott, Dudley, Bellingham, Bradstreet, Saltonstall and others of the orthodox party sat in the "Seats of the Mighty." In the spring election of 1637 in the Bay Colony the hands on the timepiece of Progress and Spiritual Enfranchisement were set back into the twilight hours and the pendulum ceased to beat.

August 30, 1637, the first Cambridge Synod of Magistrates and Ministers met at Newtown, and before it Mrs. Anne Hutchinson was summoned to answer to eighty-two "erroneous opinions" cherished and taught in her school at Boston. Single-handed and alone she withstood the assaults and answered the questionings of this large lay and clerical court, nearly all of whose numbers were hostile to the defendant. To those who care to read the celebrated polemic dialogue, reference is made to "Antinomianism in Massachusetts Bay Colony" by Charles

Francis Adams. As was to be expected, Mrs. Hutchinson was heard and condemned by the Synod after a session of twenty-four days and her case was referred to the Great and General Court of the Colony as well as to the church of which she was a member for such discipline as those bodies might see fit to exercise.

The session of the General Court of the Bay Colony in November, 1637, was an event of mighty significance in the annals of American History—probably greater than any that has since succeeded, for in and by it the magistrates declared various opinions heretical and also voted banishment to a large body of the most eminent and valuable citizens of Boston and other Colonial towns. As a result of such action and the forcible migration of this class of people, new towns were established in Northern and Southern New England and a new Colony was created on Aquidneck in Narragansett Bay which embodied in its primal acts the principles of Civil and Religious Liberty, against whose establishment at Boston, the orthodox party of the Bay Colony, led by Governor John Winthrop, had so strenuously and successfully set themselves. "The Lord brethren" of Boston had shown themselves the lineal descendants of the Bishops of the mother land, and the several acts of scission made possible and certain the founding and permanent establishment of a Liberal Puritan State

on Aquidneck, in Narragansett Bay, dedicated to Civil and Soul Liberty from its first inception.

"There's a Divinity that shapes our ends,
Rough hew them how we will."

Events of moment follow in rapid succession. We turn to the pages of the Records of The Colony of Massachusetts Bay in New England for their establishment..

Nov. 2, 1637. "Mr. John Wheelwright, being formerly convicted of contempt and sedition, and now justifying himself and his former practise, being to the disturbance of the civill peace, hee is by the Court disfranchised and banished, having 14 days to settle his affaires, and if within that time hee depart not the patent, hee promiseth to render himselfe to Mr. Staughton, at his house, to bee kept till hee bee disposed of."

"Mr. John Coggeshall being convented for disturbing the publike peace, was disfranchised, and enjoyned not to speake anything to disturb the publike peace, upon pain of punishment." Mr. Coggeshall was a Deacon of the First Church and was recently elected as a Deputy from Boston as was Deacon William Aspinwall. Both were unceremoniously expelled from the General Court and a new election ordered. Mr. Coddington was also a Deputy from Boston, but was allowed to retain his seat in the court.

"Mr. William Aspinwall being convented for having his hand to a petition or remonstrance, being a seditious libell, and justifiing the same, for which, and for his insolent and turbulent carriage, hee is disfranchised and banished, puting in sureties for his departure before the end of the first month next ensuing."

"Mrs. (Anne) Hutchinson, (wife of Mr. William Hutchinson), being convented for traducing the ministers and their ministry in this country, shee declared volentarily her revelations for her ground, and that shee should be delivered and the Court ruined, with their posterity, and thereupon was banished, and the meane while was commited to Mr. Joseph Welde untill the Court shall dispose of her."

These acts were all passed under date of Nov. 2, 1637. At the next sitting of the Court, on Nov. 15, several more citizens and freemen were disfranchised for signing the Wheelwright protest. Five days later, Nov. 20, the General Court passed an act that, for unadulterated, high handed tyranny, has few more flagrant examples in the history of half civilized states. It was worthy of the insolent audacity of Arch-Bishop Laud and the Star Chamber. Here it is fresh from the Records of The Colony of Massachusetts Bay, Vol. I, p. 211:

"Whereas the opinions and revelations of Mr. Wheelwright and Mrs. Hutchinson have seduced and

led into dangerous errors many of the people heare in Newe England, insomuch as there is just cause of suspition that they, as others in Germany, in former times, may, upon some revelation, make some suddaine irruption upon those that differ from them in judgment, for prevention whereof it is ordered, that all those whose names are underwritten shall (upon warning given or left at their dwelling houses) before the 30th day of this month of November, deliver at Mr. Cane's house, at Boston, all such guns, pistols, swords, powder, shot and match as they shall bee owners of, or have in their custody, upon paine of ten pound for every default to bee made thereof; which armes are to bee kept by Mr. Cane till this Court shall take further order therein. Also, it is ordered, upon like penalty of £X that no man who is to render his armes by this order shall buy or borrow any guns, swords, pistols, powder, shot, or match, untill this Court shall take further order therein."

Fifty-eight citizens of Boston are named and seventeen from nearby towns. On a groundless suspicion, for no crime, seventy-five heads of families are subjected to the humiliation of carrying to Mr. Cane's house in Boston, all the means of personal and family protection they possessed, thereby setting at naught the well established doctrine of the house the castle, not even entering the premises by a legal search warrant.

Of the men of Boston, who, within a few months of this were founders of a new town at Aquidneck, were William Hutchinson, husband of Anne, Dea. William Aspinwall, Samuel Cole, William Dyer, husband of Mary, Edward Rainsford, John Batton, John Sanford, Richard Cooke, Richard Fairbanks, Oliver Mellows, Samuel Wilbour, John Oliver, Richard Gridley, Zachariah Bosworth, William Townsend, William Pell, Richard Hutchinson, James Johnson, Gen. Thomas Savage, John Odlin, Gamalial Wayte, Edward Hutchinson, Isaac Gross, Richard Carder, Robert Harding, Richard Wayte, John Porter, Jacob Elliott, Thomas Wardell, William Wardell, William Baulston, William Freeborn, Henry Bull, William Salter, Dr. John Clarke, Dea. John Coggeshall, Mr. Easton of Newbury, Richard Bulgar and Philip Sherman of Roxbury were included in the act of disarmament of peaceable citizens, whose only civic offence was their endorsement of the liberal views of Mrs. Hutchinson and Rev. John Wheelwright as to a free church in a free state. It seems almost unbelievable that Governor John Winthrop and men of his type should have committed an act of such a criminal character, for which they could have been held amenable for treason against the state in the Courts of England. But the unjust order was obeyed, arms and ammunition were given up by these hitherto loyal citizens, for the most part church members and freemen of the Bay Colony. Other plans and the found-

ing of other towns and a new Colony possess the minds and hearts of these men and women, whose opinions as to civil and religious freedom are so at variance with the theocracy of Boston.

The closing acts of the drama are a worthy sequel to the events which were inaugurated by the advent of Anne Hutchinson to Boston in 1634. The time is March, 1638. The place is the meeting house of the First Church of Boston. The Rev. John Wilson is in the pulpit and Anne Hutchinson stands before him to receive the sentence of excommunication, with a crowded assembly as witnesses. It is the hour of the jubilant triumph of Puritan orthodoxy over a more liberal faith and a more liberal civil polity. Wilson and Winthrop are vindicated; Anne Hutchinson is silenced. Listen to the words of condemnation rolling out of the mouth of the Puritan Pope of Boston against the female culprit at the foot of the sacred altar of the temple of the despised Jesus,—"Therefore in the name of the Lord Jesus Christ and in the name of the church I do not only pronounce you worthy to be cast out, but I do cast you out; and in the name of Christ do I deliver you up to Satan, that you may learn no more to blaspheme, to seduce and to lie; and I do account you from this time forth to be a Heathen and a Publican, and so to be held of all the brethren and sisters of this congregation and of others; therefore I command you in the name of

Christ Jesus and of this church as a leper to withdraw yourself out of the congregation." It is difficult to think of such an awful utterance from a mininster of the Gospel of Love of the Christ. One can almost see Angels weep and Satan laugh.

As Anne Hutchinson turned from the altar to leave the house, bearing in her heart the heavy anathemas of the church she had loved, out of the awe-stricken throng came Mary Dyer, one of her disciples and devoted friends, took her arm and walked by her side down the aisle and out of the house. One story has it that William Coddington also walked by her side. If not in fact, he did in spirit as did all the devoted band who were preparing for a new exodus to a new land of promise. One standing at the meeting house door said to Mrs. Hutchinson, "The Lord sanctify this unto you." She replied, "The Lord judgeth not as man judgeth. Better to be cast out of the church than to deny Christ." A stranger in Boston, pointing at Mary Dyer, asked, "Who is that young woman?" The reply was, "It is the woman which bore the monster." Twenty-four years later, Mary Dyer was hung on Boston Common for being a Quakeress.

One more event is of record when we turn to the great "experiment" for which eight years of Boston history has been the preparatory school,—the founding of The Colony of Rhode Island, in Narragansett

Bay. We have already noted the warnings of the Bay Colony, the notes of the impending separation, exclusion and banishment. On the 12th of March, 1638, the summons is issued against Mr. Coddington and others as follows: "Mr. William Coddington, Mr. John Coggeshall, Gov. William Baulston, Edward Hutchinson, Samuel Wilbore, John Porter, John Compton, Henry Bull, Philip Shearman, Willi Freeborne and Richd Carder, these haveing license to dept, summons is to go out for them to appear (if they bee not gone before) at the next Court, the third month, to answer such things as be objected."

The Stone which the builders of the Massachusetts Bay Colony rejected shall soon become the corner of a new Commonwealth, styled The Colony of Rhode Island on Aquidneck.

CHAPTER VI.

Dr. John Clarke.
From 1609-1651.

Dr. John Clarke of Aquidneck was in the fourth generation from John the first, through John and Thomas. He was the third son of Thomas and Rose Clarke and was born in Westhorpe, Suflolk Co., Oct. 8, 1609. An older brother, Thomas, born 1605, and a younger brother, Joseph, born Dec. 9, 1618, were admitted inhabitants of Aquidneck, 1638, and united with their brother John in the formation of the First Baptist Church of Newport, R. I., in 1644. A fourth brother, Carew, born Feb. 3, 1602, also settled at Newport.

Little is known of the early years of Dr. Clarke, but it is absolutely certain that they were devoted to the acquisition of learning under the best conditions of that period of English life as we find him at the age of twenty-eight holding two professions, that of a physician and also an ordained minister of the Baptist faith. The best evidence we have as to the source of his academic education is obtained from a catalogue of the University of Leyden, Holland, 1575-1875. The entry is as follows:

Johannes Clarcq, Anglus, 17 *July,* 1635-273.
"Album studiosorum Academiae Lugduno Batavia,
1575-1875.
Accedunt nomina curatorum et professorum per eadem secula."

Translation.
"John Clarke, England 17 July, 1635-273."
A Catalogue of the Students of the Academy at Leyden, Batavia, 1575-1875.
Also the names of officers and teachers for the same period."

As Dr. Clarke was a Non-Conformist, it seems easy to believe that he obtained his university education in this liberal town, the home of the Pilgrims of Plymouth from 1607 to 1620. It is also reasonable to assume that he was a member of or in fellowship with the Baptists of Holland, who had, as early as 1611, affirmed the right of all men to religious liberty and the duty of obedience to lawful government. One of Dr. Clarke's biographers states that "he attained high repute for ability and scholarship in languages, including Latin, Greek and Hebrew, law, medicine and theology." In theology, Dr. Clarke accepted and taught the doctrines of the Particular or Calvinistic Baptists, in opposition to the Arminian Baptists. That he was a man of classical learning and accurate scholarship appears from an "item" in his will: "Unto my loving friend, Richard

Bailey, I give and bequeath my Concordance and Lexicon to it belonging, written by myself, being the fruit of several years study; my Hebrew Bibles, Buxtorff's and Passor's Lexicon, Cotton's Concordance and all the rest of my books."

In the library of Harvard College is an ancient book, entitled "Holy Oyle for the Lampes of the Sanctuarie; or Scripture Phrases Alphabetically Disposed for the Use and Benefit of such as desire to speake the Language of *Canaan,* more especially the sonnes of the Prophets who would attain elegancie and sublimiitie of expression, by John Clarke, Master of Arts.

London, printed by Aug. Mathews for Rob. Milbourne, and are to be sold at his shop at the Greyhound in St. Paul's Churchyard, 1630."

The book, 3½ x 7¼, pp. 535, is dedicated in Latin to the Bishop of Lincoln and is dated at Lincoln, England, Nov. 12, 1629. It is a subject index to the Bible or an Analytical Concordance. The author says, "Amongst the world of bookes which are in the world, I never hitherto sawe or heard of any of this nature in any language now extinct. * * * Come and see—a booke which may *first* serve instead of a Concordance for the finding out of many places in the Bible, especially of homogeneal sense, though not words, all or alwayes. Second, supply the want for a

commentory upon divers passages of Holy Scriptures. * * * * Thirdly, by the various expressions of the same things not only furnish a preacher with heavenlie and sweet elegancies, but also very much enrich his invention. * * * * The book is not, I confess, so exactly done as I could wish; yet done it is as I have been able in my successive houres and time borrowed sometimes from sleepe (being first compared and since written out in the night) as thou mayeth easily perceive me to have beene nodding now and then."

As there is but one known Concordance by John Clarke, M. A., it is inferred that Dr. Clarke of Rhode Island is the author of the volume above described.

Dr. Clarke was married three times. His first wife was Elizabeth Harges, daughter of John Harges, Esq., of Bedfordshire, England, whom he married before he left his native land in 1637. She died at Newport, without issue. February 1, 1671, he married Mrs. Jane Fletcher by whom he had a daughter, born February 14, 1672. The mother died April 19, 1672; the daughter died May 18, 1673. His third wife was Mrs. Sarah Davis, widow of Nicholas Davis. She died in 1692, surviving him sixteen years.

In 1652, Dr. Clarke published in London a book styled *"Ill Newes from New England,"* in which he introduced the substance of a tract issued in 1651, touching New England and particularly Rhode Island, in which he discourses on the occasion of his going

out with others from Massachusetts Bay. As this record of Dr. Clarke is the first reliable statement of a participant in the events he relates it is worthy of special attention here.

"In the year 1637 I left my native land, and in the ninth month of the same, I (through mercy) arrived in Boston. I was no sooner on shore, but there appeared to me differences among them touching the covenants, and in points of evidencing a man's good estate, some prest hard for the Covenant of works, and for santicification to be the first and chief evidences; others prest as hard for the Covenant of grace that was established upon better promises, and for the evidence of the spirit, as that which is a more certain, constant and satisfactory witness. I thought it not strange to see men differ about matters of Heaven, for I expect no less upon Earth. But to see that they were not able so to bear with others in their diflerent understandings and consciences, as in these uttermost parts of the world to live peaceably together, whereupon I moved the latter, for as much as the land was before us and wide enough with the profer of Abraham to Lot, and for peace sake, to turn aside to the right hand or to the left. The motion was readily accepted and I was requested with some others to seek out a place which I was ready to do; and thereupon by reason of the suffocating heat of the Summer before, I went to the North to be somewhat

cooler, but the Winter following proved so cold, that we were forced in the Spring to make towards the South; so having sought the Lord for direction, we all agreed that while our vessel was passing about a large and dangerous Cape, we would cross over by land, having *Long Iland* and *Deleware-Bay* in our eie for the place of our residence; so to a town called *Providence* we came, which was begun by one M. *Roger Williams* (who for matter of conscience had not long before been exiled from the former jurisdiction) by whom we were courteously and lovingly received, and with whom we advised about our design; he readily presented two places before us in the same *Naragansets Bay,* the one upon the main called *Sowwames,* the other called then *Acquedneck,* now *Rode-Iland;* we enquired whether they would fall in any other Patent, for our resolution was to go out of them all; he told us (to be brief) that the way to know that, was to have recourse unto *Plymouth;* so our Vessell as yet not being come about, and we thus blockt up, the company determined to send to *Plymouth,* and pitcht upon two others together with myself, requesting also M. *Williams* to go to *Plymouth* to know how the case stood; so we did; and the Magistrates thereof very lovingly gave us a meeting; I then informed them of the cause of our coming unto them, and desired them in a word of truth and faithfulness to inform us whether *Sow-wames* were within their Patent, for we were now on the wing, and

were resolved through the help of Christ, to get cleer of all, and be of ourselves, and provided our way were cleer before us, it were all one for us to go further off, as to remain neer at hand; their answer was, that *Sow-wames* was the garden of their Patent, and the flour in the garden; then I told them we could not desire it; but requested further in the like word of truth and faithfulness to be informed whether they laid claim to the Ilands in the *Naraganset Bay,* and that in particular called *Acquedneck?* they all with a cheerful countenance made us this answer, it was in their thoughts to have advised us thereto, and if the provident hand of God should pitch us thereon they should look upon as free, and as loving neighbours and friends should be assistant unto us upon the main, &c. So we humbly thanked them, and returned with that answer: So it pleased the Lord, by moving the hearts of the natives, even the chiefest thereof, to pitch us thereon, and by other occurrences of providence, which are too large here to relate: So that having bought them off to their full satisfaction, we have possessed the place ever since; and notwithstanding the different understandings and consciences amongst us, without interruption we agree to maintain civil Justice and judgment, neither are there such outrages committed mongst us as in other parts of the Country are frequently seen."

Dr. Clarke's convictions as to the rights of the individual conscience in religious concerns were clear

and well established. He was also clear and strong as to full liberty in civil affairs. For these reasons he at once allied himself with the Hutchinson party on his arrival in Boston, and therefor was refused a residence and disarmed, with others, by the order of the General Court.

We here note one of those remarkable events in history where there is a conjunction of the man and the hour. The Bay Colony has drawn the sharp line of division and dismemberment and has proceeded to discipline the offending citizens, not in harmony with the Theocracy. Deacons Coggeshall and Aspinwall of the First Church, recently elected representatives of the General Court, are expelled from the Legislature, for their religious opinions. Coddington is defeated as Assistant for the same reason,—an office he has held since 1630. Governor Harry Vane, a strong supporter of Mrs. Hutchinson, has gone down to defeat before the clerical party of the colony and has left Boston for the home land, never to return. A religious war is on. A civil war is feared and the homes of the people are invaded by the Act of Disarmament. Such experiences as these were soul-trying to the people of Boston, especially to those who composed the party of protest. Exile stares the Hutchinson party in the face. Homes, just built, must be given up. Property sacrificed. Business interests destroyed. Family and social ties

must be surrendered. A new wilderness must be invaded. Savage hospitality again be invoked. New foundations must be laid which shall give security to property, life, liberty, civil and spiritual. The exodus period is at hand. Who shall be the leader of God's chosen flock from the bondage of the Bay Colony?

The man is at hand. It is Dr. John Clarke, fresh from the clerical and medical studies of the liberal University of Leyden, and thoroughly inoculated with the spirit of Democracy of the Baptists of Holland. He is in his twenty-ninth year,—a strong, stalwart fellow,—over six feet in height, magnetic,—enthusiastic,—having a judicial mind,—a calm temper, —a bold and resolute will. He arrives in Boston when the town is stirred as never before or since, in a contest for the emancipation of the soul of man from the chains of a spiritual bondage. A freeman himself, he at once casts in his lot with advocates and disciples of a liberal Democracy, and at once is chosen their new leader and proposes the formation of a new state in a new land, free from the galling bonds of their present conditions, in the Bay Colony. On the shoulders of such a leader, at such a juncture, is the chief responsibility placed of seeking a place of refuge and rest for a people whose hearts were set on civil and soul freedom.

Dr. Clarke tells us in "Ill Newes from New England" the state of affairs at Boston, on his ar-

rival in November, 1637. He states that he moved for choosing a new location for a new Colony and that the motion being readily accepted, he with others were requested to seek out a place, without the jurisdiction of any Colony. The story of the choice of Aquidneck is best told by Dr. Clarke, himself:—"By reason of the suffocating heat of the summer before (1637), I went to the North to be somewhat cooler, but the winter following proved so cold (1637-8), that we were forced in the spring to make towards the South."

Concerning Dr. Clarke's services in the founding of Portsmouth and Newport, the details will be told in the chapters relating to those towns. It is sufficient here to state that he was the recognized founder and father of the Aquidneck Plantations, the author of the Compact of Portsmouth and the adviser and leading spirit in the organization and administration of the island towns. While he was an adherent of the school of Anne Hutchinson, he was not a blind follower, but held fast to the Baptist faith and carried on public worship at Newport, until in 1644, he organized a church "on the scheme and principles of the Baptists." Callender states that there were fifteen male members in 1648, their names being John Clarke, his brothers Joseph and Thomas, Mark Lukas, Nathaniel West, William Vaughan, John Peckham, John Thornton, William Weeden, and Samuel Hubbard. Dr. Clarke was the minister and teacher of

this church until his death, with the exception of the years 1652-1663, while absent in London on Colonial business. It bears the name of the First Baptist John Clarke Memorial Church of Newport and has held the doctrines of the Particular or Calvinist Baptists from its founding until the present time. Several Baptist churches of differing opinions have sprung from the mother church at Newport. The old church,—claimed by many and with much of truth and justice in the claim, as the oldest orthodox Baptist church in America,—is still true to its traditions and history and will preserve, with increasing interest as the years come and go, the name and the fame of its distinguished Founder,—Dr. John Clarke.

In the year 1652, a book appeared in London, printed by Henry Hills living in Fleet-Yard, next door to the Race and Crown, written by John Clarke, Physician of Rhode Island in America. Its title was "*Ill Newes from New Egland* or a *Narrative of New England's Persecution.*. Wherein is Declared that while Old England is becoming new, New England is becoming old." This book had for its motive the remarkable story of the trials of Dr. John Clarke, Obadiah Holmes and John Crandall, freemen of the Colony of Rhode Island on Aquidneck and members of the Baptist church of Newport, and according to the title of the Narrative is "A Faithful and True Relation of the Prosecution of Obadiah Holmes, John Crandall, and John Clarke, merely for Conscience

towards God, by the Principal Members of the Church, or Commonwealth of Massachusetts in New England, which rules over that part of the world." As one reads the story, it is found to be a real case of persecution for the sake of religion and involves in the clearest fashion the principle of soul liberty. Dr. Clarke uses the distressing experiences of the party to illustrate the full meaning of suffering for a religious conscience and introduces eight logical and scriptural "arguments against persecution for case of Conscience." The work shows the bright figure of religious liberty portrayed on the dark background of Massachusetts' intolerance,—the spirit of John Clarke of Newport in contrast with that of Governor John Endicott of the Bay Colony.

The story reads like one of the historic books of the old Hebrew Scriptures. "It came to pass that we three (Obadiah Holmes, John Crandall and John Clarke), by the good hand of our God, came into the Massachusetts Bay upon the 16 day of the 5th Moneth (16)51; and upon the 19th of the same, upon occasion of business, we came unto a town in the same Bay called Lin (Lynn), where we lodged at a blind man's house neer two miles out of the Town, by name of William Witter, who being baptized unto Christ waits, as we also doe, for the Kingdom of God, and the full consolation of the Israel of God."

On the 20th of July, Sunday, Dr. Clarke preached at Mr. Witter's house, Witter being a member of his

church at Newport and too infirm to attend "the Publike Assemblie." To this service at Witter's, "four or five strangers came in unexpected." During the service, two constables entered the house and with "clamorous tongues" interrupted Dr. Clarke's discourse, "more uncivilly" says he, "than the Pursivants of the old English Bishops were wont to do." Their Warrant required them to go to the house of William Witter and to search from house to house "for certain erronious persons, being strangers; and them to apprehend and in safe custody to keep and tomorrow morning (Monday) be eight of the Clock to bring before me—.Robert Bridges."

The offenders were watched over that night "as theeves and robbers" and being brought before the magistrate on Monday, were committed to prison until the next County Court, July 31. "Without producing either accuser, witness, jury, law of God, or man," John Clarke was sentenced to pay a fine of twenty pounds "or else be well whipt." Obadiah Holmes was to pay a fine of "thirty pounds or be well whipt," and John Crandall "five pounds or be well whipt,"—Governor John Endicott issuing the sentences. On an appeal and a hearing on matters of faith and conscience, Dr. Clarke was set at liberty on the 11th of August, 1651. Crandall was dismissed on payment of his fine. Holmes refused to pay the fine of thirty pounds and would not allow his friends to pay it for him, saying that "to pay it would be

acknowledging himself to have done wrong, whereas his conscience testified that he had done right and he durst not accept deliverance in such a way." He was accordingly punished with thirty lashes from a three-corded whip, on Boston Common, with such severity "that in many days, if not some weeks, he could take no rest, but as he lay upon his knees and elbows, not being able to suffer any part of his body to touch the bed whereon he lay." He told the Magistrates, "You have struck me as with roses. Although the Lord hath made it easie to me, yet I pray God it may not be laid to your charge." On the death of Dr. Clarke in 1676, Mr. Holmes, a martyr for Soul Liberty, succeeded him as minister of the First Baptist Church of Newport. It is an easy matter to write books on Soul-Liberty. Easier still, is it to profess a belief in it. The rub comes when an officer commits to an old-time Colonial jail; when a Governor inflicts cruel judgments, and when an unwilling or an unfeeling Magistrate extorts heavy fines or inflicts public scourging with three corded whips, with teeth of scorpions. Better proof is not needed of the depths and sincerity of Aquidneck men in the doctrines of civil and religious liberty than the piety and patriotism of Clarke, Crandall and Holmes of Newport.

Concerning Dr. Clarke's service in the Rhode Island Colony, his work in and for the Royal Charter of 1663, and his later work, the story will be told in succeeding chapters.

NEWPORT
PORTSMOUTH
MIDDLETOWN
TIVERTON
PRUDENCE ISLAND
RHODE ISLAND
AQUIDNECK I.
NEWPORT HARBOR
BRISTOL HARBOR
NARRAGANSETT BAY
SAKONNET RIVER
OCEAN
Castle I.
Gould I.
Coasters Harbor Island
Goat I.
Rose I.
Dumpling
Lime Rock
Clarke Rock
Sheep Pen Rock
Cormorant Rock
Gooseberry
Coggeshalls Ledge
Seal Rock
Bishop Rock
Halfway Rock
Lawtons Rocks
Light
Hangdd. I.
Hope I.
Despair I.
Popasquash Pt
Mount Tom Rock
Pine Hill Pt
Gull Pt
Bristol Ferry
Lighthouse
Lighted Buoy
Whistling Buoy
Bell Buoy
Gas Buoy
Can Buoy
Nun Buoy
Depot
Town Hall
Court H.
Ch.
Fort Wetherill
Fort Greene
Fort Adams
Torpedo Sta.
U.S. Naval Hospital
Training Station
Coal Mines
Light Vessel
Battle of R.I. 1778
Quaker Hill
Butts
Grove
Sakonnet Pt
East I.
West I.
Briggs Rocks
Forty Steps
Barracks
Ellisons Rocks
Island Rocks
Old Stall Rock
Wood's Castle
Paradise
Easton Pt
Sachuest Pt
Brenton Point
Brenton Pt
Breakwater
Bateman's Pt
Black Pt
Browns Pt
Mount Hope
Bristol
Warren
Barrington
Pocasset
Tiverton
Tiverton Four Corners
Tiverton P.O.
Bristol P.O.
Barrington P.O.
Portsmouth P.O.
Newtown
No. Portsmouth P.O.
Sandy Pt
High Hill Pt
Mount Hope
Wind Mill Hill
Little Compton
Little Compton P.O.
Tommony Hill
Meeting House
Town House
Church
Grist Mill
Saw Mill
Powder Mill
Quarry
Ferry
Bridge
Causeway
Light House
Light Vessel
Buoy
Rock
Ledge
Point
Island
Harbor
Bay
Sound
River
Creek
Cove
Pond
Hill
Mountain
Road
Turnpike
Railroad
Boundary
Fort
Battery
Barracks
Hospital
Station
Depot
Wharf
Dock
Pier
Mill
Factory
Church
School
Cemetery
Tomb
Monument
Lighthouse

CHAPTER VII.

The Founding of Portsmouth.

The plans for founding a new colony, as prepared by Dr. John Clarke in the autumn of 1637, were matured at Boston during the few months that intervened before the act of practical scission, which sent so many of the leading and influential families of Boston into exile from the Bay Colony. Dr. Clarke was eminently fitted for the leadership of a fresh enterprise of this sort. He had not yet made a settlement for himself and family; he was not bound by any ties of association or relationship with Boston interests, and could act the part of an impartial judge and diplomat, for which he was by nature and education so thoroughly fitted. Besides his liberal education for two professions, both of which he adorned, secured for him the full confidence of all the dissenting body.

Dr. Clarke has already told us in his own language how the new migration was led to choose Aquidneck as the place of settlement of a new town,—it was outside the pale of any existing patent, adjoining a friendly people in Plymouth Colony, and purchaseable

from the Narragansetts. In this purchase as well as in the choice of location, Mr. Williams acted the hospitable, the friendly part. Concerning the purchase of Aquidneck, Mr. Williams, writing in 1658, says, "I have acknowledged the rights and properties of every inhabitant of Rhode Island (Aquidneck) in peace; yet, since there is so much sound and noise of purchase and purchasers, I judge it not unreasonable to declare the rise and bottom of the planting of Rhode Island (Aquidneck) in the fountain of it. It was not price nor money that could have purchased Rhode Island. Rhode Island (Aquidneck) was obtained by love; by the love and favor which that honorable gentleman, Sir Henry Vane and myself had with that great sachem Miantonomi, about the league which I procured between the Massachusetts English, etc., and the Narragansetts in the Pequod war. It is true I advised a gratuity to be presented to the sachem and the natives, and because Mr. Coddington and the rest of my loving countrymen were to inhabit the place and to be at the charge of the gratuities, I drew up a writing in Mr. Coddington's name, and in the names of such of my loving countrymen as came up with him and put it into as sure a form as I could at that time (amongst the Indians) for the benefit and assurance of the present and future inhabitants of the island. This I mention, that as that truly noble Sir Harry Vane hath been so great an instrument in the hand of God for procuring of this island (Aquid-

neck) from the barbarians, as also for procuring and confirming the charter (1644), so it may by all due thankful acknowledgment be remembered and recorded of us and ours which reap and enjoy the sweet fruits of so great benefits and such unheard of liberties amongst us."

The interest shown by Roger Williams towards his "loving countrymen" was duly and deeply appreciated by the founder of Aquidneck and the services rendered were abundantly repaid when in securing the charter of the town of Providence, in 1649, the form of government of the Rhode Island Colony was made the pattern in the first organization of the town of Providence, at the head of the bay.

It appears that the contract between Mr. Coddington "and his friends" and Canonicus and Miantonomi, in the purchase of Aquidneck, was made at Providence, soon after the return of the committee from their visit to Myles Standish for the purchase of Sowams (Barrington). Acting on the advice of the Plymouth people which was confirmed by Mr. Williams, Aquidneck was bought and Mr. Williams tells us he wrote the deed, the first of record of any of the lands of Rhode Island, for actual settlement. As will be seen, it is only a transfer of a life estate, although it was esteemed and treated as a warranty instrument by both parties. It is as follows:

Deed from Cannonicus and Miantunomu chief sachems of the Narragansetts, of the purchase of the island of Aquidneck (Rhode Island) to William Coddington and others. March 24, 1637-38.

The 24th of ye 1st month called March, in ye yeare (soe commonly called) 1637.

MEMORANDUM. That we Cannonicus andMiantunomu ye two sachims of the Nanhiggansitts, by vertue of our generall command of this Bay, as allso the perticular subjectinge of the dead Sachims of Acquednecke and Kitackamuckqutt, themselves and land unto us, have sold unto Mr. Coddington and his friends united unto him, the great Island of Acquednecke lyinge from hence Eastward in this Bay, as allso the marsh or grasse upon Quinunicutt and the rest of the Islands in the Bay (excepting Chibacuwesa (Prudence) formerly sould unto Mr. Winthrop, the now Governour of the Massachusetts and Mr. Williams of Providence; allso the grasse upon the rivers and coves about Kitickamuckqutt and from there to Paupausquatch, for the full payment of forty fathom of white beads, to be equally divided between us. In witness whereof we have here subscribed.

Item. That by giveinge Miantunnomus ten coates and twenty howes to the present inhabitants, they shall remove themselves from ofl the Island before next winter.

This deed was signed by the two sachems and witnessed by Roger Williams and Randall Holden.

A fathom of white beads varied in value, at different periods, from five to ten shillings. Forty fathoms of white beads were equal to between two hundred and four hundred shillings, the equivalent in American coin of between fifty and one hundred dollars. We sometimes satisfy our consciences with the reflection that our ancestors paid the Indians for their lands but there must be a slight misgiving when we consider the fact that all the islands in our bay save one, were bought and paid for at so small a cost. But then they paid all that the poor red man asked and the bargain was a fair one. How could they have paid more?

But there was still larger consideration, for Wanamataunemit, sachem of Aquidneck, acknowledges to five fathom of white wampum for his interest in the Islands. On the 6th of the fifth month (July) Massassoit freely consents and grants to "Mr. Coddington and his English friends united to him the use of any grasse or trees on ye maine land on Powakasick (Tiverton) side" for five fathom of wampum. On the 11th of May, 1639, "Mr. Coddington and his friends united" to pay to Miantonomi ten fathoms of beads, for his "paines and travell in removing the natives off of the Island of Aquidneck."

On the 22nd of November, 1639, Miantonomi receipted to Mr. Coddington and his friends united, twenty-three coats and thirteen hoes to distribute to

the Indians that did inhabit Aquidneck "in full of all promises, debts and demands for the said Island, and allso two tarkepes." These several payments in beads and other valuables constitute the full consideration for the Aquidneck purchase.

Under date of April 14, 1652, Mr. Coddington relates that before leaving Boston in 1638, there was an agreement of eighteen persons to make purchase of some place to the southward for a Plantation, whither they resolved to remove and that "some of them were sent out to view a place for themselves and such others as they should take in to the libertie of freemen and purchasers with them. And upon their view was purchased Rhode Island, with some small neighboring islands and privileges of grasse and wood of the islands in the Bay and maine adjoyninge." At this date he delivers up the deeds of the purchases and the records to the proper authorities, holding in his own right and title only his own proportion.

On the 27th of September, 1677, Mr. Coddington enters on the public records that when he was one of the magistrates of the Massachusetts Bay Colony, "he was one of the persons that made a peace with Caunnonnicus and Mianantonomy in the Collony's behalfe of all the Narragansett Indians, and by order from the authoritie of the Massachusetts a little before they made war with the Pequod Indians."

Here then we have the combined statements of Dr. John Clarke, Roger Williams and William Coddington that a plan was formed in Boston for the establishment of a new Plantation to the southward; that eighteen persons assumed the business of selecting and purchasing lands for the new Plantation; that through the acquaintance of Mr. Coddington, Mr. Williams and Sir Harry Vane with Canonicus and Miantonomi, chief sachems of the Narragansetts, Aquidneck and several other islands in Narragansett Bay were purchased for money and other valuable considerations and deeded to Mr. Coddington and his associates, in March, 1638, to the full and complete satisfaction of all parties concerned. Here we are assured that the Aquidneck lands, although purchased for what in our time seems a trifle, were not an "Indian steal" or "land grab," but an honest and an honorable transaction, from which no trouble ever arose afterward, either between the parties to the contract or between the Colonists as owners, either as to the validity of the land titles or the relative rights of the settlers who occupied the lands and paid their proportion for their individual estates. Too great emphasis cannot be laid upon the fact that the Aquidneck purchase was not a proprietary, held in the interests of a few or of one man, but was, at the outset, bought in fee simple by a group of persons and deeded in fee simple to the persons who became settlers within the towns and Colony established on

the purchase,—warranty deeds being given and recorded within a short time after the original settlement was made at Pocasset, in 1638. Still more, this body of purchasers represented a great body of people or families, who, exercised in the doctrine of civil and soul freedom at Boston, had calmly and deliberately planned a new foundation, in accord with their united convictions, and for the accomplishment of these ends had bought a territory, on which to plant and develop institutions and homes, on the lines of a new civil, social and religious polity. We now find our Aquidneck Colonists dealing with realty in a manner which shows their high appreciation of the possession and full ownership of real estate, in accordance with the principles and under the forms of well established English laws. Socialism or community ownership of land was not regarded an essential element of Democracy. Individual ownership of real estate was the basis of the family fortune, transmitted from generation to generation. Its possession foreran the erection of houses and the cultivation of the fields. Among the first acts of the townspeople at Portsmouth was the assignment of lots and a public record of the location and owner. On the 20th of May, 1638, at Portsmouth, "it is ordered and agreed upon that every man's allottment recorded in this Book shall be his sufficient evidence for him and his, rightly to possess and enjoy."

Mr. John Coggeshall, Mr. John Sanford and Mr. John Porter were ordered to allot the lands to the owners. The price of land was fixed at two shillings per acre, "one-half presently, and the other half at the end of three months." Mr. John Clarke, Mr. Jeffries, John Porter and Richard Burden were ordered to "survey all the lands near abouts and bring in a Mapp or Plott of all the said lands." In the year 1640, March 1, Nicholas Brown conveyed forty-five acres of land to John Wood by a warranty deed and about the same date Samuel Gorton conveyed to Philip Sherman, seven acres by the same title.

With fixed land values, attached to land records, civil society has a real basis of equitable taxation, without which to provide for the general needs of society no progress is possible along lines for civic betterment. Without taxable property, real and personal, upon which a just rate of assessment may be levied no body of people can possess coherency or claim autonomy. Public service can be built on revenue only, and in order to ensure the proper ends of organized society, the subjects of a state must contribute as nearly as possible in proportion to their respective abilities. Taxation is an essential to the social order and to civil government. The Aquidneck Colony recognized this in titular possession of estates, in record evidence and in the assessment of taxes to meet public needs. It is clearly manifest that in the undertaking of a new Plantation in New

England, there was motive, forethought, experience in government, organization and resources in so large a measure of efficiency to establish the Primacy of the Aquidneck Colony in all matters pertaining thereto. The general reader, the political economist and the historian, will note that land estates, land records and taxation are chief corner stones in the foundation of a Democratic state.

THE PORTSMOUTH COMPACT.

Prior to leaving Boston, a compact was drawn up, under date of March 7, 1638, by which a number of the leading men of the proposed Colony incorporated themselves into "A Bodie Politik" to the end that they might go to their new Plantation in a formal organization, under a chosen leader or Governor.

The compact is as follows:

The 7th Day of the First Month, 1638.

We whose names are underwritten do hereby solemnly in the presence of Jehovah incorporate ourselves into a Bodie Politick and as He shall help, will submit our persons, lives and estates unto our Lord Jesus Christ, the King of Kings, and Lord of Lords, and to all those perfect and most absolute laws of His given in His Holy Word of truth, to be guided and judged thereby.

Exodus, 24c., 3:4.
II Cron., 11c., 3.
II Kings, 11:17.

William Coddington,
John Clarke,
William Hutchinson, Jr.,
John Coggeshall,
William Aspinwall,
Samuel Wilbore,
John Porter,
John Sanford,
Edward Hutchinson, Jr., Esq.,
Thomas Savage,
William Dyre,
William Freeborne,
Philip Shearman,
John Walker,
Richard Carder,
William Baulston,
Edward Hutchinson, Sr.,
Henry + Bull,
Randall Holden.

This compact was signed originally by twenty-three persons. The original paper is in the keeping of the Secretary of State, at the State House, Providence, a photograph of which appears on the opposite page. Four names,—Thomas Clarke, brother of John, John Johnson, William Hall and John Brightman, Esq.,—follow the nineteen that appear above. Erasure marks have been made over these names, the reason for which it is not easy to understand as the first three were among the first recorded settlers of Newport, and Mr. Brightman may have been.

This compact holds the same relation to the Aquidneck Colony that the Declaration of the Pilgrim Fathers, made and signed in the cabin of the Mayflower, had to the Pilgrim State at Plymouth, Mass.

Neither was a Constitution nor a Bill of Rights for a Colony. Boston called the compact an act of incorporation. Plymouth called theirs a covenant. Boston did the act in "the presence of Jehovah," Plymouth wrote "in the presence of God." Boston formed a "Bodie Politick." Plymouth called theirs a "Civill Bodie Politick." Boston submitted their "persons, lives and estates unto our Lord Jesus Christ."* * * * * "And to all those perfect and most absolute lawes of His given us in His Holy word of truth, to be guided and judged thereby." Plymouth promised submission and obedience to such "just and equal lawes, ordinances, acts, constitutions and offices" as might be enacted, constituted and framed. Each compact had for its purpose the formation of a civil state under an orderly government. The Boston paper was probably written by Dr. John Clarke, whose piety and purpose lent a strongly religious sentiment to the document, so much so that some historians have called it theocratic. But Dr. Clarke did not classify The Christ as a theocrat, for all his writings make the great Teacher the interpreter of a new Democracy in which soul-liberty is established and enforced.

Samuel G. Arnold, our Rhode Island historian, has given a very clear and just interpretation of the Portsmouth Compact. He says, "So prominent indeed is the religious character of this instrument, that it has by some been considered, although erron-

eously, as being itself 'a church covenant, which also embodied a civil compact.' Their plans were more matured than those of the Providence settlers. To establish a Colony independent of every other was their avowed intention, and the organization of a regular government was their initial step. That their object was to lay the foundation of a Christian state, where all who bore the name might worship God according to the dictates of conscience, untrammelled by written articles of faith, and unawed by the civil power, is proved by their declarations and by their subsequent conduct." * * * *

"The Aquidneck settlements for many years increased, more rapidly than those on the main land. The occasions appear to have been, for the most part, from a superior class in point of education and social standing, which for more than a century secured to them a controlling influence in the Colony. Many of the leading men were more imbued with the Puritan spirit, acquired by their longer residence in Massachusetts, which sympathized somewhat more with the law than with the liberty of the embryo state. It is foreshadowed in the compact and in a few years was realized, in action. It had its advantages, however, and the chief of these were it enabled the people at once to organize a government and strengthened them to preserve it better than those of Providence, while it also was a means of securing and extending their

influence over the other settlements, who looked up to them in many things, and received from them their first code of laws."

The Portsmouth Compact was of the nature of a municipal charter. It stated in very general terms its purpose,—the formation of a civil government,—"a Bodie Politick." It also declared, in the most emphatic words, that the state to be organized was to be one of just laws, founded on Christian principles, and administered by upright men in harmony with those purposes and principles. The policy of the civil life of the new state was to be made manifest in the powers conferred and possessed by the members, in the character of the men chosen for office and in the functions and operations of the community life. The general corporate powers involve civil freedom with religious liberty. Will the new Commonwealth be true to its general declaration? If it is, it will become first among nations in the declaration and enforcement of the rights of universal freedom.

CHAPTER VIII.

A Democratic State in the Making.

The Portsmouth Compact, in its brief seventy words, involves several cardinal doctrines of a free state, the elucidation and illustration of which are made apparent in the development of the two towns, Portsmouth and Newport, as well as in their union as the Colony of Rhode Island on Aquidneck.

The first of these doctrines is that of self-government, on which our several states and our Republic have been built. The founders of Portsmouth acknowledged no human authority as their superior. They submitted their "persons, lives and estates unto our Lord Jesus Christ," and to Him alone. It is manifest that freedom,—personal, civil and spiritual, was bound up in the doctrine of self-government. The denial of religious liberty in a community of self-governing citizens, would be a contradiction of rights and, it will appear, in all the subsequent history of the Aquidneck Colony, that there was never an instance of the abridgment of the liberties of the people in civil or soul concerns, except in restraint of criminal acts. So thorough was the Declaration

of Independence imbedded in the minds of these Corporators, that they ignored Colonial relations with the mother land, and, so far as our studies entitle us to an opinion, hereby constituted and ordained the first free state in the world, organized by a body of freemen, independent of church or Colonial obligations.

A second doctrine is this that the civil state is the instrument through and by which self-government shall be secured and assured. The Portsmouth people, in the establishment of the first doctrine, must incorporate themselves "into a Bodie Politick" for the very end and purpose of maintaining self-government. A community, unincorporated, is a heap of sand, blown about by every wind of doctrine, a rope of sand with no bonds to hold it together. The entity of a state rests on the indissoluble bonds of social and civic unity, expressed in legal form and enduring principles.

A third doctrine of immense value is the legitimacy and supremacy of law and the necessity of the civil magistrate as the right arm of the civil state for the enforcement of law and the protection of society. The Portsmouth Compact idealizes common law and the ancient English codes, after the style of the Hebrew lawgivers, by the expression of hyperbole, "Those perfect and most absolute laws of His given us in His Holy Word of Truth, to be judged and guided thereby." There is no doubt of the sincerity and honesty

of the declaration and we can but admire the noble self-consecration of this new state—the purpose of the human to approximate toward the Divine. "Not failure but low aim is crime." That self government, civil and religious freedom, obedience to law and full submission to magistracy were the basic supports of the Portsmouth Compact and the Rhode Island Colony, we have but to refer to the letter of Dr. John Clarke, agent of the Colony of Rhode Island, to Charles the Second in 1662. Rhode Island Colonial Records, Vol 1, pp. 485, et seq. "Your petitioners were necessitated long since for cause of conscience, with respect to the worship and service of God to take up a resolution to quit their deare and native country and all their near and precious relations and enjoyments therein, and to expose themselves and their families to all the hazards and inconveniences which they might meete upon the vast and swelling ocean over which they should pass, or in the barbarous and howling wilderness to which they might come." * * * * "Where for the aforesaid causes of conscience and for peace sake they were also necessitated to travail further among the barbarians in places untrod and with no small hazard to seek out a place of habitation (Aquidneck), where, according to what was propounded in your petitioners first adventure, they might with freedome of conscience worship the Lord their God as they were persuaded."

Dr. Clarke tells the King that his Pilgrim band was guided by the Most High "to steere their course into the thickest of the most potent provinces and people of all that country. * * * * Your petitioners found them free to admiration, not only to part with the choicest partes of their territoryes (Aquidneck and other islands) being no wayes inferiour, for commodious harbours in all respects to any parts of the country, but also to quitt their native, ancient and very advantageous stations and dwellings thereon, to make roome for them." The above paragraphs from Dr. Clarke's long letter refer to the purchase of Aquidneck and other islands from Canonicus and Miantonomi by Mr. Coddington and his associates, March 24, 1638.

The next paragraph of the letter sets forth to King Charles most important facts as to the motive of the founding of the Colony of Rhode Island (Aquidneck), the establishment of a corporate government and the adoption of the English code of laws and magistracy, "so far forth as the nature and constitution of the place and the professed cause of their conscience would permit."

Dr. Clarke closes his letter with an earnest appeal for a new charter, "whereby under the wing of your Royall protection, we may not only be sheltered, but caused to flourish in our civill and religious concernments in these remote parts of the world."

In a second address to the King for "a charter of civill corporation" Dr. Clarke, after further reference to "the wonderful passage of the Providence of the Most High," writes, "Your petitioners have it much on their hearts (if they may be permitted) to hold forth a livelie experiment that a flourishing Civill State may stand, yea, and best be maintained, and that among English spirits, with a full liberty in religious concernments, and that true pyety rightly grounded upon gospell principles will give the best and greatest security to true sovereignty, and will lay in the hearts of men the strongest obligations to truer loyalty." If the Portsmouth Compact of 1638 needed any commentary, nothing could be more complete and satisfactory than the historic setting of the instrument and the exact definition of its terms, purposes and meaning as given by its author, in his successful argument for a Royal Charter.

As already stated the Portsmouth Compact was probably written and signed at Boston, under date of March 7, 1638. As it inaugurated for America and the world the principle of self-government or popular sovereignty, it did not ask or require any municipal, state or court sanction. It was the free act of the sovereign people themselves, exercising the rights, natural and inalienable, to life, liberty and happiness. Jehovah was invoked as a witness of this great transaction, unique, singular, the first of its nature in the

records of men. Had we naught else than this remarkable act of nineteen men at Boston, (or a probable twenty-three), the Primacy of Portsmouth as an absolutely free municipality would be established, but we are only at the starting point of a series of events which establish our claim beyond peradventure.

Under date of the Compact appears the election of the executive of the sovereign state, with the title of Judge. The record is as follows:

FIRST ELECTION BY FREEMEN.

The 7th of the first month, 1638.

We that are Freemen Incorporate of this Bodie Politick do Elect and Constitute William Coddington, Esquire, a Judge amongst us, and do covenant to yield all due honour unto him according to the lawes of God, and so far as in us lyes to maintaine the honour and privileges of his place which shall hereafter be ratified according unto God, the Lord helping us so to do.

William Aspinwall, *Sec'ry.*

OATH OF OFFICE.

I, William Coddington, Esquire, being called and chosen by the Freemen Incorporate of this Bodie Politick to be a Judge amongst them, do covenant to do Justice and Judgment impartially according to the lawes of God, and to maintaine the Fundamentall

Rights and Privileges of this Bodie Politick, which shall hereafter be ratified according unto God, the Lord helping us so to do.

Wm. Coddington.

William Aspinwall is appointed Secretary.

It is agreed that William Dyre shall be Clarke of this Body.

As the claim is sometimes made that Connecticut was the first of the American Colonies to adopt Democratic ideals in civil affairs it is well to state essential differences and agreements as to that plantation and Aquidneck. A provincial government was instituted, under a Commission from the General Court of Massachusetts (March 8, 1635), to eight of the persons who "had resolved to transplant themselves and their estates unto the River Connecticut." * * * * "that Commission taking rise from the desire of the people that removed, who judged it inconvenient to go away without any form of government." In 1636, March 3rd, Roger Ludlowe, Esq. and seven others were made a Board of Commissioners "with full power and authoritie" "for the peaceable and quiett ordering the affaires of the said plantacion," Connecticut. In later legislation, Massachusetts Bay Colony claimed the territory of Connecticut as a Province lying within its Patent and subject to its control.

Concerning the Coddington purchase of Aquidneck and other islands in Narragansett Bay, no claims of ownership or Patent rights were ever made by any Colony and the Indian quit-claim was never disputed as a fair title. The first voluntary Compact of the Connecticut towns, Windsor, Hartford and Wethersfield, was entered into Jan. 14, 1639, "as one Publike State or Commonwealth," to "enter into combination and confederation together, to mayntayne and presearve the liberty and purity of the gospell of our Lord Jesus wch we now professe, as also the discipline of the churches, which according to the truth of the said gospell is now practised amongst us; As also in civill affaires to be guided and governed according to such Lawes, Rules, Orders and Decrees as shall be made," etc.

Eleven decrees of the convention of the three towns constitute "the Fundamental Orders of Connecticut," which Bancroft and other historians denominate the first foundations of our American Constitution. As to this claim, Channing states correctly that this "celebrated Constitution did little more than to formulate on paper the existing government of Massachusetts Bay." It agrees with the Aquidneck Declaration in the recognition of "Almighty God" as the wise Disposer of His Divine Providence, and the Word of God as the source of both human and Divine Law. Both communities ordain officers of the same rank

and a legislative body with equal powers and privileges.

In other matters the differences are important and vital. Connecticut makes the civil state primarily the sponsor of "the liberty and purity of the Gospell of our Lord Jesus." Still more it makes "the discipline of the churches" a part of the duty of the state. This feature unites Church and State in one and constitutes a church-state and a state-church—in no sense unlike the Puritan church-state of the Bay Colony.

In the Connecticut "orders," the General Court is made the supreme power of the Commonwealth, thereby transferring the supremacy of the people to a body chosen by and a creature of the people. The General Court, consisting of six elective persons beside the Governor, constituted the Colonial Judiciary to administer justice according to the laws. This plan of uniting the legislative, judicial and executive functions in one body may have been, as in the Bay Colony, a matter of economy in administration, but absolutely undemocratic and unwise in principle. It is difficult to understand how clear minded historians can find the elements of a free republic under such a system. The more certain is this conclusion when we state that there is no Bill of Rights as to civil or religious liberties and the peculiar qualification of the Governor that he must be a member of the Congregational Body,—the established church of the Colony. It is

an interesting and most important bit of evidence as to the much vaunted civil government of Connecticut, that in the charter of 1662, granted by Charles, the people "shall have and enjoy all Liberties and Immunities of free and natural Subjects * * * as if they and every one of them were born within the realm of England." This charter concluded all previous Colonial rights and privileges and reduced the people to the level of their brethren across the sea. Whatever of special republicanism belonged to the Hartford Colony by the "Orders" of 1635, was abolished twenty-seven years later by the Crown.

In contradistinction to the civil polity of Connecticut and Massachusetts Bay Colonies, the Aquidneck Colony affirms absolute freedom in civil and religious concerns, establishes no religious tests for office, protects all religious faiths while patronizing none, establishes a distinct judiciary, and affirms and practises the principles of majority-rule in a Democratic state.

The Colony of New Haven, the original constitution of which was adopted June 4, 1639, was more distinctly a church-state community than was Massachusetts Bay, and no claim has ever been made as to its exercise in "Democracie." As all the New England Colonies, except Rhode Island (Aquidneck), —Massachusetts Bay, Plymouth, Hartford and New Haven,—in addition to other limitations on personal freedom, not only suspended the operation of all just

laws as to the Quakers, but both approved of and practised persecution of this sect in one form or another, we shall dismiss them as claimants in founding a state with religious freedom as a cardinal doctrine, limiting our later contention to the claims made in behalf of Roger Williams and the Providence Plantations.

Dr. Clarke tells us that a portion of the Boston party came by vessel, "passing about a large and dangerous Cape," (Cape Cod). The time was March, 1638. The day of sailing from Boston is not known, nor is the date of arrival in Narragansett Bay. Dr. Clarke and some others followed the Indian trail through the forests, coming to Providence to consult with Roger Williams as to their location. The story of the purchase of Aquidneck has been told, and, when the overland and seagoing people meet, it is on the Island of Aquidneck, their future home. It is probable that the vessel entered the Sakonnet River and that emigrants came to land with their household goods on the northeast part of the Island of Aquidneck, in a section known by the Indian name Pocasset. The site of the original settlement was at the head of the Cove, north of the village of Newtown, and is easily located by ancient landmarks. The first general meeting of record of the new settlers from Boston was held on the 13th day of May, 1638, at which were present Messrs. William Coddington,

William Hutchinson, John Coggeshall, Edward Hutchinson, William Baulston, John Clarke, John Porter, Samuel Wilbore, John Sanford, William Freeborne, Philip Sherman, John Walker and Randall Holden. At this meeting several orders were adopted as follows:

1. None shall be received as inhabitants or freemen to build or plant upon the Island but such as shall be received in by the consent of the Bodye, and do submitt to the Government that is or shall be established, according to the word of God.

2. The Town shall be built at the Springe and Mr. William Hutchinson is permitted to have six lots for himself and his children, layed out at the Great Cove.

3. An order for a five-rayle fence from Bay to Bay, the charge to be borne proportional to allotments of land was made and repealed.

4. An order that every person should have one acre of Meadow for a beast, one acre for a sheep and one acre and a half for a horse was made and repealed.

5. Every Inhabitant of this Island shall be always provided of one muskett, one pound of powder, twenty bulletts, and two fathom of match, with Sword and rest and Bandeliees, all completely furnished.

6. That the Meeting House shall be set on the neck of land that goes to the Maine of the Island where Mr. John Coggeshall and Mr. John Sanford shall lay it out.

During the year 1638-9 thirteen public town meetings were held for the transaction of public business. The records show allotments of lands to the inhabitants, with a record of each man's estate in the book of land records, May 4, 1638; William Baulston was given consent "to erect and sett up a howese of entertainment for strangers, and also to brew beare and to sell wines and strong waters and such necessary provisions as may be usefull in any kind." June 4, 1638, William Baulston and Edward Hutchinson are chosen sergeants of the Traine Bands, Samuel Wilbore clerk, and Randall Holden and Henry Bull corporals.

The lands of the Island are rated at two shillings per acre, one half to be paid "presently" and the other half in three months from date of purchase.

Mr. William Hutchinson and Mr. John Coggeshall were chosen Treasurers for the Company, to receive and disburse money, as ordered.

Mr. Sanford and four others are ordered to repair the highways between Aquidneck and Titicut, to be paid out of the treasury.

Any Freeman absenting himself from the town meeting "to treate upon the Public affaires of the Body, upon public warning, (whether by beate of the drumm or otherwise), failing one quarter of an hour after the second sound shall forfeit twelve pence, or if any one departs without leave, the same sum."

Aug. 20, 1638. A pair of stockes with a whipping post was ordered to be made, to be paid for out of the treasury.

Richard Dummer, Nicholas Easton, William Brenton and Robert Harding were admitted freemen.

Aug. 23, 1638. A house for a prison was ordered, twelve feet long, two feet broad, ten foot studding, of sufficient strength and the cost to be paid out of the treasury. Mr. William Brenton was the builder.

Mr. Richard Dummer, for building a mill, useful to the plantation, was granted an allotment of land equal to an estate of £150.

Randall Holden was chosen town marshall "for one whole year."

Sept. 15, 1638. Eight persons were arraigned "for a riott or drunkenness." Two were sentenced to pay 5s. apiece and "to sett till the evening in the stockes"; one to pay 5s. and "sett one houre in the stockes" and four were fined 5s. each for default.

Acommittee was chosen to view damages done upon corn and other fruits.

Nov. 5, 1638. The 12th of November was set apart as "a general day of Trayning for the Exercise of those who are able to beare armes in the arte of military discipline," for males between 16 and 50 years of age. Three and six-acre house lots were laid out by Mr. Sanford and Mr. Jeffries.

It was ordered that Mr. Edward Hutchinson shall bake bread for the use of the plantation, and that his bread for the assize shall be ordered by that body.

Nov. 16. 1638. Mr. Nicholas Easton was granted an extra allotment of land for setting up a water mill "for the necessary use and good of the plantation."

John Lutner, a carpenter, having left the Island without paying his debts, Messrs. Brenton and Coggeshall were ordered to seize his house and furniture to pay his debts, after appraisal of his property.

Messrs. Coggeshall, Hutchinson, Wilbore and Dyer are chosen as a committee to buy venison of the Indians for three half-pence a pound, and these truckmasters are ordered to sell the meat at two pence per pound, a farthing to be paid into the Treasury, and the rest to the committee for their services.

Jan. 2, 1638-9. At this meeting it was decided to choose three Elders "to assist the Judge in the execution of Justice and Judgment for the regulating and ordering of all offences and offenders; and for the drawing up and determining of all such Rules and Laws as shall be according to God, which may conduce to the Good and Welfare of the community." The Judge and the Elders were made accountable to the Body of Freemen, once each quarter of the year, for all "cases actions and rules" which they have acted on, which could then be vetoed or repealed by that Body.

At the first election Mr. Nicholas Easton, Mr. John Coggeshall and Mr. William Brenton were chosen Elders as Assistants to Judge William Coddington.

Mr. John Clarke, Mr. Jeffries, John Porter and Richard Barden were chosen to "survey all the lands near abouts and bring in a Mapp or Platt of all the said lands and so to make Report to the Judge and Elders, whereby they may receive information and direction for the distribution to each man his property."

The Judge and Elders were instructed to deal with William Aspinwall concerning defaults, "as also concerning Invasions forreine anl domestick as also the determination of Military discipline, and the disposing of lands as well as the howse lotts and impropriations."

Jan. 11, 1638-9. "The Body being assembled with the Judge and Elders it was agreed (as necessary) for the Commonwealth, that a Constable and Sergeant should be chosen by the Body to execute the Lawes and penalties thereof." There follows in the records a statement of the duties of each officer.

Samuel Wilbore was chosen Constable and Henry Bull Sergeant and both were "invested with the authority aforesayed and what else shall be found meet to concure with the office."

It was voted that the prison be set near to or adjoining the house of Henry Bull, the Sergeant.

April 30, 1639. It was ordered that a Court be held every quarter, "to doe right betwixt man and man," by a jury of twelve men, "also to put an end to any Controversy, if it amount not to the value of fortie shillings."

On the same day, the Freemen of Pocasset acknowledged themselves "the legall subjects of his Majestie King Charles" and in his name bound themselves "into a civill body politique, unto his lawes according to matters of justice." At the same meeting, a Judge was elected "by the major voice."

Farms for grain were laid out, ranging in size from thirty to four hundred acres.

On March 1, 1640, the first warranty deed appears of forty-five acres of land from Nicholas Brown to John Wood.

We have been thus particular in noting the principal events of record as to the founding of Portsmouth and the town proceedings of the first year, for the purpose of showing the orderly procedure of the settlers of the new town on Aquidneck, called at first by the Indian name Pocasset. We see before our own eyes a town in the making. The several acts are so natural, so regular and so well matured that they seem, as they really are, the product of a long experience in civic building. By the records or between the lines we read of no personal differences, disputes or divisions. Their public deeds are so unanimous that they seem as the deed of a single person. The common weal augurs the founding of a strong Commonwealth. Each member renders essential aid in the perfect jointure of all the parts. There are no quarrels or fights over lands, or titles, or offices, or Covenants of Works or Grace. Pocasset is a family of families so far as all living evidence can be produced. A site is chosen for the town, near the Great Cove. Home lots of six acres are at once laid out, houses are built, gardens and fields planted, lands are surveyed, platted and allotted for farms, town officers are elected, a town treasury established, public money is provided for by sale of lands, fences are built, cattle,

horses and sheep are secured, family and neighborhood protection is assured by the provision for fire arms, a Meeting House is ordered built, a town common laid out, a house of entertainment or tavern is agreed upon, where "beare" may be brewed and wines and other "strong waters" bought and sold, Train Bands are organized, officers chosen and training days established, highways are laid out and highway surveyors chosen, their labor to be paid out of the town treasury, town meetings often bi-monthly are called by the "beate of the Drumm," and a shilling fine levied on a late comer, town stocks and a whipping post were built with treasury money and in less than a month three men, arrested and found guilty "for a Riott of Drunkenness," were paying a portion of the judicial penalty with their arms and legs pinioned between the oak beams. The erection of a prison, though small in its dimensions is proof of the purpose to shut up sturdy offenders in law breaking and the choice of Henry Bull as town sergeant was an absolute guaranty that culprits would serve out their terms of commitment. With Samuel Wilbore as Constable, "to inform in Generall of all manifest breaches of the Law of God, that tend to civill disturbance" and with Judge William Coddington and his associates on the bench "for the regulating and ordering of all offences and offenders," it is absolutely certain that the "Magistracy" was not a by-word nor a hissing at Pocasset, in 1638.

To provide good corn meal, the chief ingredient of the renowned "Rhode Island Johnny Cake" two mills are provided, a wind and a water, and a land bounty falls to the owners. To provide venison, truck masters are chosen, who are authorized to pay three cents a pound to the Indians, to be sold at four cents, dividing the one penny between themselves and the town treasury. To provide good bread, corn and rye, Mr. Edward Hutchinson was chosen town baker. Here then, on the Island of Aquidneck in Narragansett Bay, at Pocasset, was founded, in the year 1638, an American town on new lines. The founders were well-to-do, intelligent families of English birth. While in England, they belonged to the liberal Puritan element. They left England that they might enjoy the largest liberty as to their religious beliefs, consistent with the doctrines of a civil state of the Democratic type. Coming to Boston between the years 1630 and 1638, they had experienced all the trials and dangers of a pioneer life, in which a severe climate, a wilderness land, and tribes of barbarous men were their chief welcome. Here they had had their first experience in the practical affairs of founding a town, in which most of the men and women were among the chief actors. Coddington, Coggeshall, the Hutchinsons, Aspinwall, Savage, Brenton and others had been elected and filled with honor, for successive years, offices of honor, trust and service. Most of them had been members of the First Church of Boston and two were Deacons, at the time of discipline.

In the year 1634, a new thought, born in the breast of a bright-minded English woman, Anne Hutchinson, is announced and taught in Boston and is accepted as truth by the majority of the people of the Town. That thought embraced in its unfolding all the more modern concepts of a free spiritual faith in a free state. To our minds, it was involved in terms often ambiguous and perplexing, but it was so real in that day that its free discussion and long acceptance threatened the existence of the Puritan church and Colony. We have already, in another chapter, related the incident and its outcome. Church discipline, social and official ostracism, and civil disbarment and banishment follow in quick succession, and a whole township of people,—men, women, children, babes in arms,—was forced to part with homes, built and comfortably furnished, leaving lands, businesses and other property interests practically confiscated and abandoned, for a second sea voyage to erect a new Plantation, in the Narragansett Country,—a *terra incognita* to these Pilgrims of a new civil polity and spiritual vision. United as they have been at Boston, in social, civil and church relations, in doctrinal accord in matters of soul freedom, these people are bound as with bands of steel in one purpose to erect a "Body Politick," of a new pattern, the primacy of which must challenge the judgment of men.

CHAPTER IX.

THE FOUNDING OF NEWPORT.

At Pocasset, on the 28th day of April, 1639, the following agreement was made by a portion of the founders of that community.

AGREEMENT.

It is agreed by us whose hands are underwritten, to propagate a Plantation in the midst of the Island or elsewhere; And doe engage ourselves to bear equall charges, answerable to our strength and estates in common; and that our determinations shall be by major voice of Judges and Elders; the Judge to have a double voice.

PRESENT.

William Coddington, *Judge.*
Nicholas Easton,
John Coggeshall,
William Brenton,
John Clarke
Jeremy Clarke
Thomas Hazard
Henry Bull.

William Dyre, *Cl'k.*

Several important reasons led to the separation of the first settlers of Pocasset and the founding of a

new town at the South end of Aquidneck. The first was the influx of a large number of families from Boston to the Pocasset settlement. In addition to those who were banished or ostracised, leaving the Bay Colony by compulsion, many of Anne Hutchinson's associates in the school of freedom followed her to and made homes on the Island. Boston's great loss was Pocasset's great gain. It is estimated that one hundred families came to the new town in the first year, 1638, thereby forming a large body of claimants for land, extending their homesteads over a large section of the North end of the Island.

A second reason lay in the fact that the first settlement was made in great haste, after the purchase of Aquidneck. The purchase was made while the main body of the people were sailing on an undetermined voyage from Boston to Narragansett Bay and the first town was located on Sakonnet River, near their landing place. No survey had been made of the Island and the first eligible location invited occupation. During the year 1638 the whole area had been visited and a portion of the company saw, in the commodious, land-locked waters of the lower Narragansett, a future harbor for shipping, trade and commerce and in the surrounding lands, fertile soils and commanding sites for residences. The names of Easton, Brenton and Clarke, the earliest residents, survive in local geographical usage, in and about the city of Newport.

It does not appear that any denominational differences had arisen, nor do the records show any but the most cordial relations existing among the settlers of the Island before and after the formation of the new town, Newport. It is well known, however, that Dr. John Clarke was an ordained minister of the Baptist faith, and that in the year 1644, the First Baptist Church was organized at Newport, with Dr. Clarke as its minister. It is a matter of more than passing note that Dr. Clarke conducted public worship for both the Congregational and Baptist elements on Aquidneck from 1638 to 1644, with the interval of a few months, when Mr. Robert Lenthal taught a public school at Newport and conducted religious services at the Newport Congregational meeting house. As a meeting house was built at Portsmouth for public worship in 1638, Rev. John Callender in his "Century Sermon" wrote, "there is no reason to think that persons of their zeal (Portsmouth and Newport) should immediately fall into a total neglect of a social worship." As the Baptists were a despised and persecuted sect in England and in Massachusetts Bay Colony, we have here a fine illustration of the Catholic, tolerant spirit of the Aquidneck founders, not only in following Dr. John Clarke in civil leadership, but in adopting him and his teachings in spiritual leadership. It was no ordinary Puritan congregation to which Dr. Clarke ministered, for, at the double Sunday services, there sat in the pews, William Cod-

dington, Judge, Anne Hutchinson, reformer, Deacons Coggeshall and Aspinwall, the Brentons, Bulls, Eastons, and, not least, his own brothers, Joseph and Thomas Clarke, who joined him in organizing a Baptist Church at Newport. Here certainly was Simon-pure religious freedom, in a community taught at Boston by the broad-minded, liberal Anne Hutchinson.

At the first meeting of the town's people it was agreed that the Plantation should be called Newport and should extend towards Pocasset for the space of five miles, and Mr. John Clarke, Mr. Jeffreys, Thos. Hazard and William Dyer were chosen to lay out the lands and highways, allowing to each family a home lot of four acres. Trade with the Indians was made free for all people. Mr. Robert Jeffries was chosen town treasurer. The Secretary, Mr. Dyer, was paid £19 and ten acres of land for services. It was agreed that in the Quarter Courts, the determination of matters was by majority vote, the Judge having two votes.

On the 25th of December, 1639, the town affirmed its allegiance to King Charles, "as Natural subjects to our Prince, and subject to his Lawes, all matters that concern the Peace shall be by those that are officers of the Peace, transacted; and all actions of the case or Dept shall be in such Courts as by order are here appointed, and by such Judges as are Deputed."

Mr. Jeremy Clarke was chosen Constable for one year. Mr. William Foster was chosen "Clerke of the Traine Band" and was ordered to report on the condition of the Arms. Robert Jeffries was chosen as drill master of the Military Company. It was ordered "that noe man shall go two miles from the Towne unarmed, eyther with Gunn or Sword, and that none shall come to any public meeting without his weapon. Upon default of eyther he shall forfeit five shillings." Commissioners were chosen to negotiate business with Pocasset. At the same meeting (1639), Mr. Easton and John Clarke were instructed to inform Mr. Vane, (Harry) by writing, of the state of things here "and desire him to treate about the obtaining a Patent of the Island from his Majestie, and likewise to write to Mr. Thomas Burrwood, brother to Mr. Easton, concerning the same thing."

On the 3rd of December, 1639, John Bartlett and John Hadson were fined five shillings each for "the Breach of the Peace, by their excess in drinking." A fortnight later, Mr. Easton was fined five shillings for "coming to the public meeting without his weapon." At this meeting orders were issued as to building post and rail fences, the restraint of hogs, provision for bulls,—one for every twenty cows, keepers for herds of cattle, and the firing of lands after March the first. The Treasurer was ordered to "provide forthwith a pair of Stocks and a whipping

post to be sett in some place as he shall have order for, in ye town of Niewport."

We have seen that Boston was the seat of the school of a liberal Democracy and of tolerance in religious concerns. We have also seen a colony of families forced to separate from the Massachusetts Bay Colony, on account of their decided convictions as to civil and religious freedom, in opposition to a Puritan theocracy. Assured in conscience, united by a persistent and in a measure, a subtle persecution for conscience's sake in spiritual things, this large body of people consult, plan, decide, act. Led in their exodus by Dr. John Clarke, ably seconded by William Coddington, Anne Hutchinson and other very competent and experienced persons, Aquidneck was purchased, a civil compact of incorporation was drawn and signed at Boston, and a vessel load of emigrants with their personal belongings sail from Boston, for an unknown port, leaving homes, lands, businesses behind them, in their search for the land of their daydreams,—a land of absolute freedom. The sacrifice was great, but their vision of a land of Freedom, restrained their tears and silenced heart throbbings. This was the initial act in founding the Commonwealth of Rhode Island on Aquidneck, in 1638.

The second act appears in the settlement and organization of the two towns, Portsmouth, 1638, and Newport in 1639, by this English Massachusetts Bay

Colony company. The records of the planting of these towns occupy eighty-four pages of the first volume of the Rhode Island Colonial Records,—pages 45-128, inclusive, to which reference is made and the contents are entered as an essential factor of my argument. In Chapter I. will be found an outline of the fundamentals of a sovereign state,—of such importance as to command a reading. This outline combines a body of men and women, in general agreement in faith and polity, with an intelligent understanding of the relations of the individual to civil society. A charter or compact is adopted embracing the basic principles of the inchoate state, with conditions and limitations as to freemanship and all the institutions, functions and officials for the establishment of orderly government. It is of the utmost import that rules and laws be established for protecting the rights of life, liberty, property and reputation and the choice and installation of all officials for the safeguarding the whole people and the execution of the laws adopted by the body politic. Reviewing the records of the two towns, Portsmouth, 1638, and Newport, 1639, we find,

First, A large body of people of Boston and other towns in The Bay Colony, in the years 1637 and 8, made plans to found a new Plantation and sent out scouts, North and South, for a satisfactory location for settlement.

Second, All were in accord as to matters of religious faith and civil polity, holding to absolute freedom in spiritual concerns, within the bonds of a Democratic state.

Third, A civil Compact was formed at Boston under date of March 7, 1638, as the basis of law and order in the Commonwealth to be established, wherein the teachings of Jesus had full recognition.

Fourth, The gravity of the transaction appears in the breaking up of newly established homes and of business, the severance of social and church ties and the second endeavor of many families, moved by a common motive, to found homes and civil society in accord with their ideas and consciences as to Liberty.

Fifth, Aquidneck and other Islands in Narragansett Bay were purchased for the future home of the Colonists from The Bay Colony, under date of March 24, 1638.

Sixth, The body of emigrants took ship at Boston, voyaged to Aquidneck, landed in the neighborhood of the shores of Mount Hope Bay, and located their first town, called Pocasset, the Indian name of the place, in the Northeastern part of their Island purchase, in 1638.

Seventh, A year later, April 28, 1639, a second town, called Newport, was established at the South end of the Island Aquidneck, by the same body essentially that founded Pocasset, the year previous.

Eighth, Both towns established practically the same body of laws and were both, as civil bodies, at first, under the guidance of a Judge elected by a majority vote, and later under an added magistracy of three Elders or Aldermen, constituting a Justice's Court as well as a legislative body, for each town.

Ninth, Lands were allotted to the amount of six acres for home lots and farm outlands, according to the needs and financial ability of the purchaser, at a uniform price of two shillings an acre.

Tenth, Town officers were elected by majority vote of the Freemen and consisted of a Judge, three Elders or Aldermen, a Clerk, a Treasurer, a Surveyor, a Constable, a Sergeant, Surveyors of Highways, a Plantation Baker, and several committees for specific ends.

Eleventh, Among the institutions established by each town, the first year, were a Meeting House, a prison, stocks and whipping posts, a Court of Justice, pounds for cattle, wind and water mills, taxation and a town treasury, the issuance and records of deeds and land titles, a military train or band regularly officered, training days, public houses for entertainment of man and beast, a ferry established to the main land, arms and ammunition provided for family and general defence, a nightly town watch, provisions for the poor, and in the year 1640, the town of New-

port set up a public school, set apart lands for school purposes and chose Mr. Robert Lenthal as the first public school teacher of the town.

Twelfth, Town meetings were held regularly at which all public affairs were considered and decided by the major vote, lateness in attendance or absence being punishable by a fine. The town council as it may be termed, acted in the absence of instructions, but its acts could be negatived by vote of the Freemen. Courts of Justice were held quarterly or as cases might demand consideration. Magistracy was held in high repute and fines and other punishment administered irrespective of rank of the offender. Town governments thus established, at the outset, by people, who, both in England and at Boston and other Bay Colony towns had been accustomed to orderly administration of civic affairs, continued in establishing order, systematic procedure, and a high standard of public service.

But what is most significant is the absolute fact that all this inauguration of government, laws, institutions, legal processes, public taxation, etc., etc., in a wilderness land, under strangely new conditions, was accomplished with but few hindrances, and so far as the records show, with a remarkably unanimity and large consideration for the public weal.

Another fact stands high above all others. It is this,—no person within the compass of the two towns,

Portsmouth and Newport, later the Colony of Rhode Island, was ever called to a Court of Inquisition for his religious belief or practise and no person was ever deprived of his liberty and civic freedom in opinion and action, except for crime.

CHAPTER X.

The Founding of The Colony of Rhode Island on Aquidneck.

The history of the first year of the towns of Portsmouth and Newport shows that the founders were men of thought and action, united in purpose and pursuing it vigorously, courageously. The Island of Aquidneck was a land of forests. The first houses were built of the live timber, oak, pine, maple, growing on the lands of the planters. The breaking of the virgin soil by mattock and spade was no holiday affair, for an acre of ground must be cultivated to support each member of the family. Deer, bears, foxes, wolves inhabitated the forests of the Island and Main. Clams and fish abounded and these fish and meat supplies with beans, corn and rye bread and Rhode Island Johnny cakes constituted the food of the founders. Little wonder that they were healthy and well filled with ambition and energy for their great, masterly undertaking,—the building a Free Commonwealth.

It is worthy of note that both towns were founded by the same persons, thereby ensuring the construc-

tion of the same town organization and preserving mutual friendship and coherency. One looks in vain for evidences of disorder, quarrels, local or town dissensions. Differences in opinion and action are the best proofs of a healthy individualism, and such differences undoubtedly existed, or the society could not have been human. It may be asserted, without fear of contradiction, that the settlers of Aquidneck were freer from disturbing agencies than any other American Colony or settlement. The next step in advance of a well regulated town government was the foundation of a state by the union of the two towns, under one general government. It has been noted that "the Body Politicke in the Ile of Aqethnec, inhabiting," on the 25th of November, 1639, did instruct Mr. Easton and Mr. John Clarke to write to Sir Harry Vane, their former associate and sympathetic friend in Boston, to treat with King Charles for "obtaining a Patent of the Island from his Majestie."

Four months later, on the 12th of March, 1640, at the general election in the town of Newport, a delegation from the town of Pocasset, consisting of Mr. William Hutchinson, Mr. William Baulston, Mr. John Sanford, John Porter, Adam Mott, William Freeborne, John Walker, Philip Sherman, Richard Carder and Randall Holden, presented themselves, and, in behalf of the town of Pocasset, asked to be "reunited" to the Newport government, and the clerk

of the town of Newport records the fact, "are readily embraced by us." By this simple act of affirmation a colony was formed, the first among men "holding forth a lively experiment that a flourishing civill state may stand, yea, and best be maintained, and that among English spirits, with a full liberty in religious concernments." On the 12th day of March, 1640, the two towns united at Newport, by unanimous agreement , to form the Colony which, later, assumed the name of the Island, Rhode Island, thereby assuring the Primacy of Rhode Island on Aquidneck as a Democratic state.

The legislation, accompanying this great act of new sovereignty was as follows: "It is ordered that the Chiefe Magistrate of the Island shall be called Governour, and the next Deputie Governour, and the rest of the Magistrates Assistants, and this to stand for a decree." "It is agreed, that the Governour and two Assistants shall be chosen in one town, and the Deputy Governour and two other Assistants in the other town." "It is ordered that the plantation at the other end of the Island shall be called Portsmouth."

The following officers of the new state were then elected:

Governor, Mr. William Coddington.

Deputy Governor, Mr. William Brenton.

Assistants,

Mr. Nicholas Easton,
Mr. John Coggeshall,
Mr. William Hutchinson,
Mr. John Porter.

Treasurers,

Mr. Robert Jeffreys,
Mr. William Baulston.

Secretary, William Dyer.
Constable for Newport, Mr. Jeremy Clarke.
Constable for Portsmouth, Mr. John Sanford.
Sergeant, Henry Bull.

It was ordered that the Governor and Assistants be invested with the powers and offices of Justice of the Peace.

It was ordered that five men be chosen to lay out the lands belonging to the town of Portsmouth and five for Newport.

By a majority vote of each town, the Freemen were authorized to select certain men to allot the public lands to settlers, and when laid out to record the same at the General Court.

At the General Court of the two towns, held on May 6th, 1640, at Newport, it was enacted as a war measure, "that in each Plantation there bee this forme dulie observed; that as soone as notice is given of any probable incursion, that then forthwith Three

Musketts be distinctly discharged and the Drum or Drummes incessantly to beat an Alarum; and that forthwith each Man bearing armes shall repair to the coulers (colors), which shall be lodged at ye Chief Magistrates Howse in each Plantation, as he will answer at his perill." As is well known, the danger of hostile acts was feared from the Indians and from the Dutch, then occupying Manhattan.

It was also ordered, that the "Particular Courts, consisting of Magistrates and Jurors shall be holden on the first Tuesday of each month; and one Courte to be held at Newport, the other at Portsmouth; and the sayd Court shall have full powre to judge and determine all such cases and actions as shall be presented."

As students of civil government lay great stress upon the judicial functions of a state it is well to say that, at the outset of the Aquidneck planting, a Judge was the Chief Magistrate, fulfilling both civil and judicial functions, holding sessions of the Court, at least monthly. Later, Quarterly Courts were established and three Elders or Aldermen were added to the Court and Magistracy. After the union of Portsmouth and Newport, under one general government, the judiciary system was revised and trial by jury instituted. The magistrates of each town had authority to call a Court, every first Tuesday of each month at Newport and every first Thursday of each month at Portsmouth, wherein actions might be

entered, juries empannelled and causes tried, provided it was not "in the matter of life and limb." An appeal could be taken from the lower or town Court to the Court of Quarter Sessions, held upon the four Quarter Days, which were the first Tuesday in July and the first Tuesday in January, the Wednesday after the 12th of March and the Wednesday after the 12th of October. The last two were styled Parliamentary or General Courts. The Judges of these several Courts followed the precepts of the English Common Law and all writs and processes were according to English practise.

Two other important orders issued from the General Court, held at Portsmouth, August 6th, 1640. One related to the organization, equipment and training of the militia or Train Bands of the two towns, with exemptions and penalties prescribed. This order provided for eight musters in each Plantation of one day each "to attend their coulers by eight of the clock in the morning" and "openlie in the field be exercised by their Commanders and Officers." In addition to the eight town drills each year, two General Musters were held, "one to be disciplined at Newport, the other at Portsmouth."

The second order, perhaps first in importance, related to town and Colony treasuries to the end, "that each town shall have a joynt and an equal supply of the Money in the Treasury for the necessary uses of

the same," the Governor, Deputy Governor and one Assistant from each town being named to warrant the receipts and expenditures "according to the determination of the Major Vote of the Townsmen." These two general orders provided for the financial affairs of towns and Colony and the protection of the people by a disciplined militia,—both the sinews of Peace and War.

CHAPTER XI.

Rhode Island on Aquidneck, A Commonwealth.

The union of the two towns, Portsmouth and Newport, in 1640, prepared the way for the final act in the Declaration of Rights of a Colonial state. At the General Court of Election began and held at Portsmouth, from the 16th to the 19th of March, 1641, the two towns being assembled, enacted as follows:

A Democratic State.

"It is ordered and unanimously agreed upon, that the Government which this Bodie Politick doth attend unto in this Island, and the Jurisdiction thereof, in favour of our Prince is a DEMOCRACIE, or Popular Government; that is to say, It is in the Powre of the Body of Freemen orderly assembled, or the major part of them, to make or constitute Just Laws, by which they will be regulated, and to depute from among themselves such Ministers as shall see them faithfully executed between Man and Man."

Religious Liberty.

"It was further ordered by the authority of this present Courte, that none bee accounted a Delinquent for Doctrine: Provided, it be not directly repugnant to ye Government or Lawes established."

The State Seal.

"It is ordered that a Manual Seal shall be provided for the State, and that the Signett or Engraving thereof, shall be a Sheafe of Arrows bound up, and in the Liess or Bond, this motto indented:

"Amor Vincet Omnia."

Land Tenure on Aquethneck.

It is Ordered, Established and Decreed, unanimouslie, that all men's Proprieties in their Lands of the Island, and the Jurisdiction thereof, shall be such, and soe free, that neyther the State nor any Person or Persons shall intrude into it, molest him in itt, to deprive him of anything whatsoever that is, or shall be within that or any of the bounds thereof; and that this Tenure and Propriety of his therein shall be continued to him or his; or to whomsoever he shall assign it for Ever.

The election of officers at this General Court, 1641, resulted as follows:

Governor, William Coddington.

Deputy Governor, William Brenton.

Assistants, John Coggeshall, Robert Harding, William Baulston, John Porter.

Secretary, William Dyer.

Treasurers, William Baulston, Robert Jeoffreys.

Sergeants, Thomas Gorton, Henry Bull.

Constables, Thomas Cornell, Henry Bishop.

The several acts of the Portsmouth General Court, March, 1641, were the final Declaration of a Democracy in civil affairs with religious liberty in matters spiritual in the Colony of Rhode Island on Aquidneck. The mind of a master Statesman must have dictated the two orders that declared the principles of the founders of the two towns, parties to the compact. In this brief instrument of less than a hundred words is embodied the principle of *Popular Sovereignty,* the doctrine of the *Supremacy of Just Laws* and the allegiance of the people to the *Magistrates,* chosen by the major vote of the electorate.

Still further, no person could be called to judgment in matters of religious faith, doctrine or practise, unless such practise should be repugnant to the laws or government of the State.

We have already seen that the doctrines of civil and religious freedom had been under debate for centuries before the Pilgrims crossed the Atlantic and that great minds had declared and great souls had, in the face of persecution and physical death, testified to their faith in the rights of man. Colonial life in America had for years experimented with certain features of individual and civic freedom, but it was given to a great body of men and women, founders of the Colony of Rhode Island on Aquidneck, setting small estimate on doctrinal polemics and erratic leadership, with profound convictions and clear vision, to found a Colonial Commonwealth, dedicated to civil and soul liberty, thereby establishing the first state in the world with institutions, laws and administration in harmony with the principles of Justice, Equality and Fraternity among men. To give emphasis to this great transaction, the Decree of a Free State was adopted unanimously, and sealed with the most fitting motto, *"Amon Vincet Omnia,—Love Will Conquer All Things."*

On the 17th of September, 1641, at Newport, the General Court of Freemen ordered that "if any Person or Persons on the Island, whether Freeman or Inhabi-

tant, shall by any meanes, open or covert, endeavor to bring in any other Powre than what is now established (except it be by our Prince by Lawfull commission), shall be accounted a delinquent under the head of Perjurie."

"It is ordered that the Law of the last Court made concerning Libertie of Conscience in Doctrine is perpetuated."

A Free School in 1640.

In testimony to the intelligence and farsighted policy of the founders of the Colony, permanent provision was made for education by setting apart public lands, building school houses and providing land and salary for a teacher. Mr. Robert Lenthall taught the free school in Newport from 1640 to 1642.

In furtherance of the purpose of the founders to procure a Royal Patent "for this Island and Islands, and the lands adjacent," it was voted, at a meeting of The General Court of the Colony, held at Newport, September 19, 1642, "to draw up Petition or Petitions, and to send letter or letters for the same end to Sir Henry Vane," and a Committee was appointed for the transaction of the business consisting of Gov. Coddington, Deputy Gov. Brenton, the Assistants, Messrs. Easton, Coggeshall, Porter and Baulston, William Dyer, Capt. Jeoffreys, Capt. Harding and Mr. John Clarke. The subject of a Royal Patent for

the Island was first acted on by the Freemen of Newport on December 17th, 1639, the first year of the town. The Colony of Rhode Island on Aquidneck now affirms its purpose to secure a Patent, independent of any other community or plantation and appoints its chief officers a Committee to transact the business at the expense of the Colony. Rev. Dr. Adlam, a Baptist minister of the John Clarke Memorial Church of Newport, in an address before the Newport Historical Society, Jan. 19, 1871, well interprets the minds of the Founders as to a Patent for Aquidneck. He said, "It is evident that those who first settled Newport and Portsmouth did not intend to join themselves with any other community, but wished to be alone; to form their own government, pass their own laws, and, unimpeded, manage their own affairs; for they wished the charter to embrace only the Island.

That they meant to be independent of all others, we have the direct testimony of Dr. Clarke; for when he went to Plymouth to ascertain if Aquidneck fell within their Patent, he said to the authorities of that place, that they were resolved, through the help of Christ, to get clear of all, and be of ourselves. They had no more intention of incorporating themselves with Roger Williams and his settlement than they had of incorporating themselves with Plymouth or Massachusetts. There was no community, indeed, that fully

harmonized with them. Their aim was to found a state where Liberty should be seen to be consistent with the reign of Law."

Under date of March 13, 1644, the Freemen of the Colony, in General Court assembled at Newport, ordered "that the Island commonly called Aquidneck, shall be from henceforth called the Isle of Rhodes, or *Rhode Island.*'

We have reached the point in our Story where we must introduce Mr. Roger Williams as the principal actor. We have stated that at two sessions of the General Court at Newport, one in 1639 and again in 1642, the Freemen had taken action as to a Patent for the Acquidneck territory, appointing Committees to solicit the aid of Sir Harry Vane in securing a Royal Patent of the Islands in Narragansett Bay from Charles the First. It would give great satisfaction to know what action was taken by the two Committees, appointed to intercede with Sir Harry Vane, but no record exists relative thereto. All is left to conjecture.

And now follows an inexplicable event in our Colonial Story. In June or July, 1643, about nine months after the last action at Newport as to a Patent, Roger Williams of Providence embarked from New York for England on some unknown errand without instructions from the Rhode Island Colony as to a Patent and according to Judge Staples, "there is nothing

in the records of Providence relative to this (his) appointment." In fact it would have been an impossibility for the Providence community to act in so important a matter for there was no civil organization at Providence until 1649, and consequently there could be no legal or corporate act of such a nature transacted. It is absolutely certain that Rhode Island Colony did not seek or desire union with the communities at Providence or Warwick. It is also absolutely sure that had they favored a joint Patent with the small unorganized bodies at the head of the Bay they would have demanded the name Rhode Island Colony or Rhode Island and Providence Plantations as fixed by the Charter of 1663.

On September 17th, 1644, Mr. Williams arrived in Boston with a paper styled *"A Charter of Incorporation for Providence Plantations in the Narragansett Bay in New England."* The instrument is signed by Robert, Earl of Warwick as Governor in Chief, followed by the names of several Colonial Commissioners, among which is the name of H. Vane. Reference is made to the towns of Providence, Portsmouth and Newport, but no mention is made of the Colony of Rhode Island on Aquidneck. The chief guaranty is civil government similar and in no respect differing in rights and privileges to the provisions of the Charters of Plymouth, Massachusetts Bay and other Colonies. No reference is made to religious liberty, nor to Indian land titles, but "Laws, Consti-

tutions and Punishments for the Civil Government of the said Plantations must be conformable to the Laws of England, so far as the Nature and Constitution of the place will admit." Mr. Williams' Charter was received with rejoicing at Providence but was universally repudiated by the settlers of Aquidneck. Mr. Williams had ignored the large Plantations on Rhode Island with five times the population and wealth of Providence and had assumed to secure a charter with authority over Portsmouth and Newport without the consent or knowledge of the inhabitants of the Island. Still more, he had attached the name *Providence Plantations* to the three settlements, when, as yet, Providence had no organized government, the community being merely a congeries of families, with no recognized leader or head, and no magistracy of any sort. Richman properly calls the Providence Plantations, at this time, a "non-entity," and it is difficult to understand how Sir Harry Vane could endorse the charter of Providence Plantations, knowing well, as he did, the history of the Island towns and sending by Mr. Roger Williams as bearer, the scathing letter of reproof to Providence for "such headiness, tumults, disorders and injustice." One would not be surprised if Mr. Williams suggested the letter, and Mr. Henry C. Dorr credits him with doing so.

Governor Coddington, Chief Magistrate of the Island towns, opposed the acceptance of the Williams' charter, in which he was supported by the majority

of the electorate. Dr. Clarke, while recognizing Mr. Williams' "headiness" in securing a charter without the authority of the great body of the people, whom it was supposed to benefit, was more favorable to its acceptance, and, after three years' delay, during which time no action was taken under it, a General Court of Election was held at Portsmouth, May 19-21, 1647. "It was agreed that all should set their hands to an engagement to the charter," an achievement of Dr. Clarke's diplomatic and conciliatory spirit.. It was also agreed that Warwick should have the same privileges as Providence. Thus the four towns, Portsmouth, Newport, Providence and Warwick came, by the consent of all, to be the COLONY OF PROVIDENCE PLANTATIONS.

The officers elected were:

President, John Coggeshall.

Assistants, { Roger Williams, Providence.
John Sanford, Portsmouth.
William Coddington, Newport.
Randall Holden, Warwick.

General Recorder, William Dyer.

Treasurer, Jeremy Clarke.

It was ordered that an anchor be the seal of the Colony.

It was also voted that a tax of £100 be levied to pay Mr. Williams' expenses for obtaining the charter,—£50 from Newport, £30 from Portsmouth and

£20 from Providence, indicating by the relative amounts apportioned the towns, that Providence had one-fifth the financial ability of the Island towns.

The great act of this first session of the General Assembly of the Colony at Newport was the adoption of the first General Code of Laws for the Colony, which had been drawn up at Newport and sent to the several towns for examination. Judge Staples, in the Annals of the Town of Providence, assumes that the Code was drawn at Newport, and that this is referred to in the request of the Committee as "the model that hath been lately shown unto us by our worthy friends of the Island." Governor Arnold clearly states that this Code was prepared by the men of learning on the Island. As Gov. Coddington did not favor the adoption of the Charter, and would not accept the Presidency under it, it is fair to conclude that the Code was not his work. It is safe to assume that Dr. John Clarke, the scholar, was its author, aided possibly by the able Secretary of the Rhode Island Colony, Mr. William Dyer.

The Laws, codified from English Common Law, were introduced by a Preamble as to Civil and Religious Liberty, and their tenure suspiciously suggests their author.

It is Agreed by this Present Assembly thus Incorporate, and by this Present Act Declared, that the Forme of Government Established in

Providence Plantations is DEMOCRATICALL; that is to say, a Government Held by ye Free and Voluntarie Consent of all, or the Greater Parte of the Free Inhabitants.

The Next Order Guarantees "Each Man's Peaceable and Quiett Enjoyment of His Right and Libertie, notwithstanding Our Different Consciences, Touching the Truth as it is in Jesus."

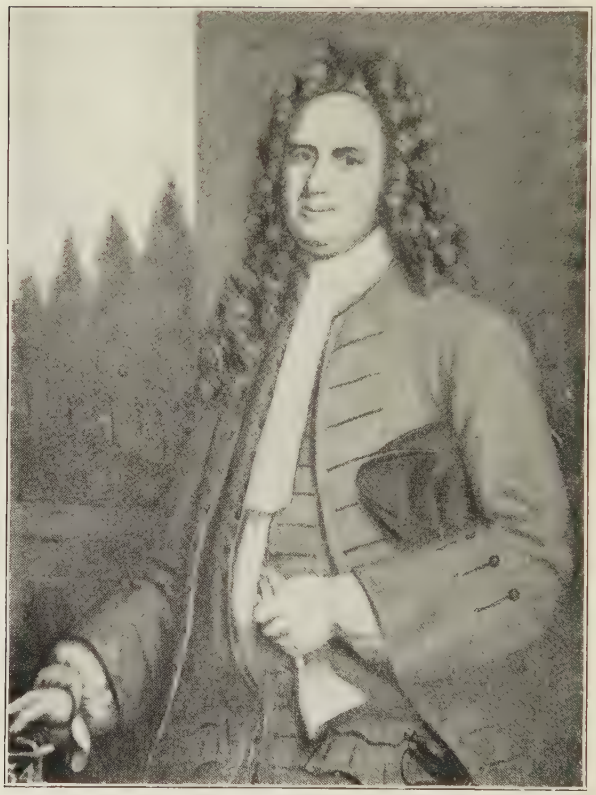
The towns of Newport and Portsmouth were entrusted with the duty of perfecting the means of enforcing the Code and the manner and time of organizing monthly and quarterly Courts. The trading posts in the Narragansett Country were assigned to Newport, and that on Prudence to Portsmouth.

This remarkable Code, emanated from the Island towns and as Governor Arnold states, the principles, —Democracy and religious freedom,—were "exclusively Rhode Island (Aquidneck) doctrines and to her belongs the credit of them both.". The following remarkable testimony as to the Aquidneck Code is also from the pen of our Rhode Island historian, Gov. Arnold. "We hazard little in saying that the digest of 1647, for simplicity of diction, unencumbered as it is by the superfluous verbiage that clothes our modern statutes in learned obscurity; for breadth of comprehension, embracing as it does the foundation of the whole body of law, on every subject, which has

since been adopted; and for vigor, and originality of thought and boldness of expression, as well as for the vast significance and the brilliant triumph of the principles it embodies, presents a model of legislation which has never been surpassed." Arnold's History of Rhode Island, Vol. 1, p. 206.

There is one article in this Code that reflects and expresses most completely the delicate regard of the founders of the Island towns for the consciences as well as the conscience liberty of their fellows, and anticipating by several years the advent of the Quakers. "Forasmuch as the consciences of sundry men, truly conscionable, may scruple the giving or taking an oath, and it would be noways suitable to the nature and constitution of our place (who professeth ourselves to be men of different consciences, and not one willing to force another) to Debar such as cannot do so, eyther from bearing office amongst us, or from giving in testimony in a case depending," it was enacted that an affirmation before a Judge of Record should be accounted of as full force as an oath, so sensitive was the Aquidneck legislators even to anticipating conditions not then existant.

The Code is to be found in Vol. I, Rhode Island Colonial Records, pages 156-208, inclusive. In its text as well as in its preamble it confirms and maintains the rights of the people in religious concerns, as did all subsequent legislation under the charter.



GOV. WILLIAM CODDINGTON, JR.
1683-1685

It is certain that no body of persons in our American Colonial life put the doctrine of religious toleration to so severe a test as did the disciples of George Fox, known by the name of Friends or Quakers. As Newport was well known to them as a place of religious freedom, this town became their City of Refuge, on this side the Atlantic. Hither, in 1653, came the Quaker-Pilgrim Mayflower, a little vessel, named the Woodhouse, built by an English Quaker, manned by Quakers, with a cargo of English Quakers, thirteen in all, two landing in New York and eleven in Newport. They were cordially welcomed to the Island, and were treated fraternally in both towns. Their doctrines and conduct were so acceptable to the people that many converts were made from among the most influential, intelligent and wealthy people of the Island. Governor Coddington, his son William, William Brenton, Nicholas Easton, John Cranston, Henry Bull, Walter Clarke, John Easton, Caleb Carr, William Wanton, John Wanton,—all of whom were afterwards Governors of Rhode Island,—became the disciples of George Fox and administered the government of the Colony, as far as the executive functions allowed, according to the civic principles of their faith. Mary Dyer, wife of William Dyer, the Secretary of the Colony for ten years, was among the many women who adopted the doctrines of the Friends, and was hung therefor on Boston Common, in 1660, for what Gov. Endicott and the Bay Colony

regarded "pernicious and dangerous doctrine." When George Fox came to New England in 1671 he made Newport his headquarters and the first Friends' Meeting in New England was established by him, in Portsmouth, in the vicinity of the original town site of Pocasset, of 1638.

It is noteworthy that the original Colony of Rhode Island, 1640, was the only part of New England that extended the hand of welcome and friendship to the Quakers, and the only one in which they came into political control, holding it practically for nearly a century, the last Quaker Governor being Stephen Hopkins, who was also a member of The Continental Congress and a signer of The Declaration of Independence. The attitude of other Colonies and leading individuals was hostile to the Friends even unto their death. Roger Williams, in his polemic passion, wrote, "I have therefore publicly declared myself, that a due and moderate restraint, and punishing of *these incivilities* (of the Quakers), (though pretending conscience), is so far from persecution, (properly so called), that it is a duty and command of God unto all mankind, first in families, and thence into all human societies." Plymouth and Connecticut exercised a "moderate restraint" of the Quakers by whippings and banishment, while Massachusetts Bay Colony punished Quaker "incivilities" by scourgings, branding, torturing, cutting off of ears and public executions by hangings on Boston Common.

In 1657, the Commissioners of the United Colonies of New England, in session at Boston, unanimously adopted a letter to the Colony of Rhode Island, on information that "divers Quakers are arrived this summer at Rhode Island (Newport) and entertained there, which may prove dangerous to the Collonies," and requesting "that you remove those Quakers that have been receaved, and for the future prohibite theire cominge amongst you." President Benedict Arnold, a non-Quaker, replied, saying among other things, "And as concerning these Quakers, (so-called), which are now among us, we have no law among us whereby to punish any for only declaring by words, &c., their mindes and understandings concerning the things and ways of God as to salvation and an eternal condition." President Arnold promised to bring the letter before the General Assembly at its next meeting in March, 1658, at Portsmouth.

The General Assembly meeting on the Island, in 1658, returned a reply to the Commissioners in which they recited the ancient principle of religious liberty as the foundation of the Colony, as follows: "Now, whereas freedom of different consciences, to be protected from inforcements was the principle ground of our charter, both with respect to our humble suit for it, and also to the true intent of the Honorable and renowned Parleiment of England in grantinge of the same unto us; which freedom we still prize as the greatest happiness that men can possess in this

world." The letter asserts also the supremacy of the civil law and magistracy, to both of which Quakers with all other inhabitants are amenable, insisting that "theire may be noe damadge, or infringement of that chiefe principle in our charter concerninge freedome of consciences." This letter to the Commissioners is a splendid illustration of courteous diplomacy and is signed by John Sanford, Clerk of the Assembly.

Before taking leave of the early Colonial Records, we must note the date of Incorporation of Providence in a town government, under date March 14, 1648-1649. On the petition of the freemen of the town of Providence for "freedome and libertie to incorporate themselves into a body politicks," the General Assembly conferred unto "the free inhabitants of the town of Providence, * * * * a free and absolute charter of civill incorporation and government, to be known by the Incorporation of Providence Plantation in the Narragansett Bay, in New England, together with full power and authoritie to governe and rule themselves and such others as shall hereafter inhabit within anypart of said Plantation, by such a form of civill government as by voluntary consent of all, or the greater part of them, shall be found most suitable unto their state and condition." The order for a charter was signed by John Warner of Warwick, Clerk of the Assembly.

It will be borne in mind that Portsmouth organized its town government in 1638, Newport its in 1639, and in 1640, the two towns united to form the Colony of Rhode Island. In towns and Colony, civil freedom and liberty in religious concernments were clearly declared and absolutely enforced.

Providence, a community of families from June, 1636, had not had a civil officer, nor magistrate, and no form of legal government, except as voted by the "masters of families" meeting as occasion might suggest, whose orders had no binding effect upon the community as a whole. The oldest rate bill for taxes in Providence bears date Sept. 1, 1650. The gross amount was £56, 5s. Benedict Arnold was assessed £5. The sum of £3,6,8 each was assessed on William Field, Richard Scott, William Harris, William Arnold and William Carpenter. Roger Williams was assessed £1, 13s., 4d.

Hereby is clearly established the Primacy of the Island towns,—Portsmouth 1638, eleven years in advance of Providence in civil organization,—Newport 1639, ten years ahead,—Rhode Island Colony on Aquidneck, 1640,—seven years earlier than the acceptance of the Williams' charter by the Island towns in 1647, and organization and elections under it.

CHAPTER XII.

Concerning Roger Williams and Providence.

A discussion of the life and character of Roger Williams would lead us far astray from the purposes of this work. Our sole aim is to show that at Aquidneck, under the leadership of Dr. John Clarke, civil and soul-liberty, as understood in the seventeenth and eighteenth centuries, was clearly enunciated, fully established and permanently maintained, in advance of any other community of men, the world over. In establishing this proposition, it is not our motive or wish to diminish, in the least, the honor due Mr. Williams. That he was a faithful co-worker with Dr. Clarke is cheerfully admitted. If Dr. Clarke's reputation as the founder of a free Commonwealth rested on the negative of a single worthy quality or act of Roger Williams, I should regard my study a failure. His monument will be built on a more enduring basis than the ruins of the pedestal of Mr. Williams' fame. Our sole denial relates to the claim, first publicly announced by Rev. Isaac Backus, the Baptist historian, in 1777, that at Providence, a civil state was first established, Democratic in principle, and tolerant of all religious tenets, mainly, if not solely, by Roger

Williams.. Mr. Williams himself, self-assertive as he was, never made the claim. It was never thought by men of his time, and it remained unclaimed for a century after Mr. Williams' death and nearly a century and a half after the banishment of Mr. Williams from Massachusetts Bay Colony. It is a fact worth noting, in this connection, that, until very recently, the advocacy of Mr. Williams' claim was maintained in published works chiefly by Samuel G. Arnold, William Gammell, J. D. Knowles, Rev. Dr. Benedict, Rev. Dr. Edwards, and Rev. Dr. H. M. King,—all Baptists and, severally, intimately related to the First Baptist Church and Brown University, Providence.

I propose, in this chapter, to set forth, without much discussion, while suggesting proofs, several propositions as to Mr. Williams and the Providence Plantations.

Proposition I. Roger Williams had no purpose or motive, on leaving Massachusetts to found a town or colony or to make any experiment in civil government. He intended to become a missionary to the Indians.

"My soul's desire was to do the natives good, and to that end to have their language (which I afterwards printed) and therefore desired not to be troubled with English company."

Roger Williams, Nov. 17, 1677.

Proposition II. Mr. Williams was a Congregational minister, and, at the age of thirty-one (1635), had had no experience in business, in civil affairs or in statecraft, and made no claims thereto.

Proposition III. Mr. Williams' first plan led him to locate in Seekonk, on lands granted him by Massassoit, within the limits of Plymouth Colony without the Narragansett territory. Here he built and planted as if for permanent occupation, until warned to leave that colony.

Proposition IV. Mr. Williams' ideal of land control was in and through a private corporation, styled a Proprietory and to that end he became in 1638, and later, sole proprietor of extensive land rights as gratuities from the Narragansett sachems. By "The Initial Deed," he associated with him, in joint ownership, twelve of his "loving friends," with power conferred to add "such others as the major part of us shall admit unto the same fellowship of vote with us."

Proposition V. The members of the Proprietory were known under several names,—"Proprietors," "The Town Fellowship," and "Masters of Families." Suffrage was restricted to married men, who were also heads of families. Town meetings in Providence were held and all business was conducted by the members of the Proprietory, a voluntary, private land corporation, with no power to enforce its acts. This Proprietory existed about two centuries, Judge Wil-

liam R. Staples being the last Proprietors' Clerk. See Staples "Annals of Providence." In the minds of the early settlers, such large land holdings corresponded to the fee-tail estates of England, giving to a few persons absolute control of all the lands of the proprietory, to be disposed of as the majority saw fit. Mr. Williams, at the outset, proposed "that without my consent, no person be violently brought in and received." Had his plan prevailed the sale of the lands would have been in the control of one man. As it was the whole estate was controlled by majority vote —at the outset by seven persons. It was a land-rich, purse-poor aristocracy of landlords,—not a "Bodie Politicke" or civil community as at Aquidneck.

Proposition VI. From 1636 to 1651 there was no civil organization or government at Providence, no town government, no constitution, no public officers, no taxes, no civil or criminal laws, no courts, no magistrates, no civil arrests, no constable or justice, no warranty deed issued, no legal paper executed. In an undated letter to Gov. Winthrop Mr. Williams writes as to the planting of "a few families at New Providence; We have no Patent, nor doth the face of magistracy suit with our present conditions," and suggests the plan of a government by "the masters of families." When Mr. Williams named his settlement Providence, or when the name was adopted by the people is not known. (Staples).

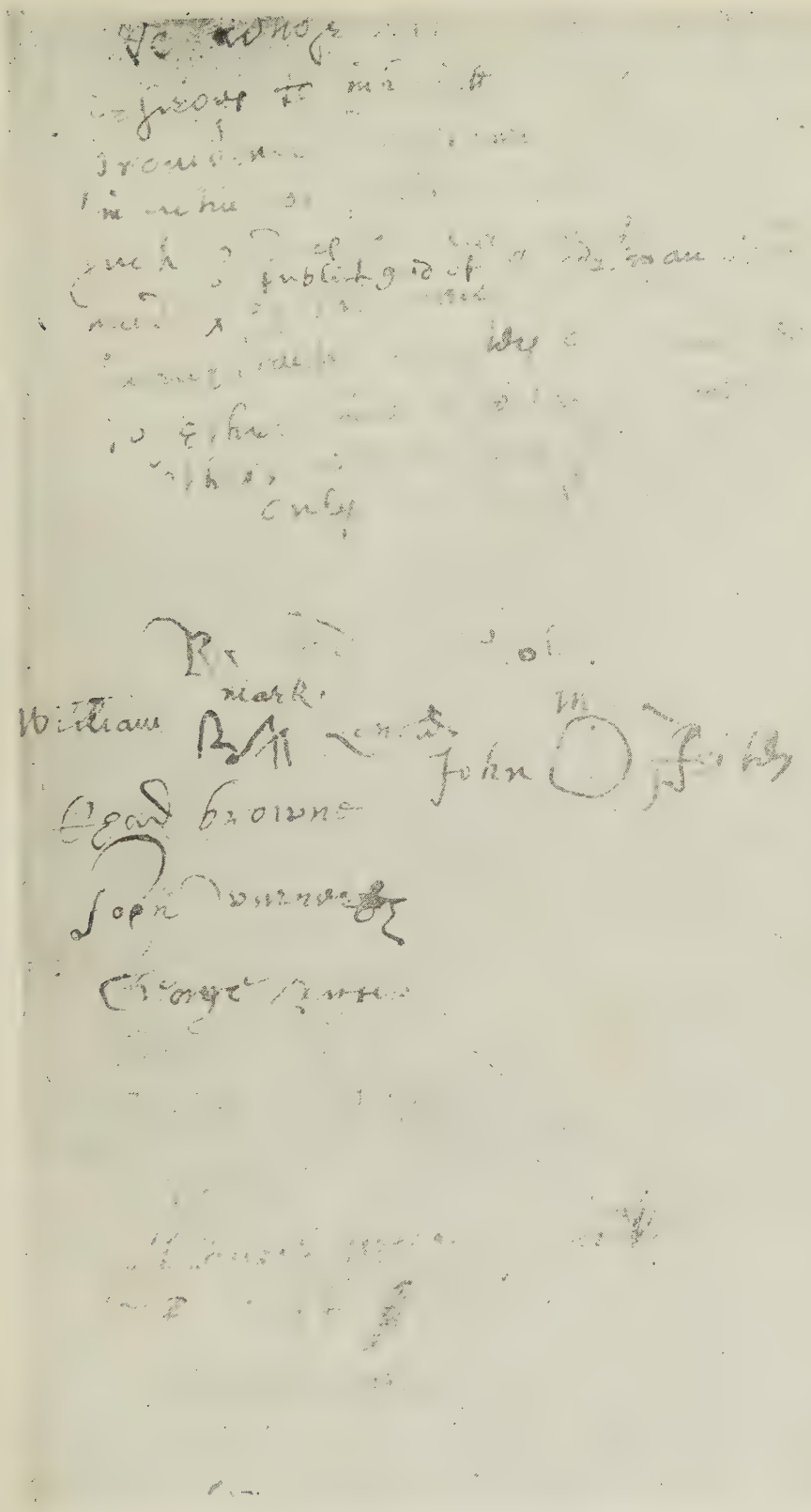
Proposition VII. "The Providence Compact," so called, styled by Mr. W. B. Weeden "Rhode Island's Magna Charta," was not the declaration of the Proprietors of Providence as to principles or policy in civil or religious liberty. This document, quoted by historians as the cornerstone of the first free commonwealth in the world, is as follows:

We whose names are here(under) desirous to inhabitt in ye town (of) Providence do promise to subject (ourselves) in active or passive obedience to al(l) such orders or agreements as shall (be) made for public good of o'r (our) body in an orderly (way) by the major consent of the inhabitants maysters of families in(corporated) together into a towne fellowship (and) others whome they shall admitt (unto them) only in ciull things.

This paper was signed by thirteen persons:—

Richard Scott,	Thomas Harris,
William Reynolds, x mark,	Francis Weekes, x mark,
Chad Brown,	Benedict Arnold,
John Warner,	Josua Winsor,
George Richard,	William Wickenden,
Edward Cope,	John Field, x mark.
Thomas Angell, x mark,	

This document has cut a large figure in the claims made for Roger Williams as to civil liberty. Let us study it.



THE PETITION OF RICHARD SCOTT AND OTHERS
TO BECOME INHABITANTS OF PROVIDENCE
DATE NOT KNOWN

First. It is not dated and is usually claimed to have been executed in 1637. As Chad Brown, the third signer, did not land at Boston until August, 1638, and the date of his arrival at Providence is uncertain, some later date must be assigned than the settlement at Aquidneck in April, 1638.

Second. It is in the hand writing of Richard Scott, the first signer, a man not a "loving friend" of Mr. Williams, at first a Baptist and a leading man in the settlement.

Third. It was a petition of thirteen men to become inhabitants of Providence.

Fourth. It was a recognition of the government of the town by "the maysters of families, incorporated together into a town fellowship."

Fifth. It was a promise of "active or passive obedience" to the order of the "maysters of families."

Sixth. It established a limit to the orders or agreements of the Town Fellowship, by the words, *"Only in ciuill things,"* and also by the words, "o'r (our) body."

Seventh. This petition and pledge was made to Mr. Williams and his "loving friends,"—proprietors, "maysters of families," "the town fellowship of New Providence," expressing the attitude of thirteen persons, there being no evidence that the petitioners were accepted under the terms proposed.

It is well known that Mr. Williams, in an undated letter to Governor John Winthrop of Massachusetts had proposed " a double subscription" for "your loving counsel," the first concerning "masters of families," the other concerning those few young men, and any who shall hereafter by your favourable connivance, desire to plant with us." In neither subscription as written by Roger Williams do the words *"only in ciuill things"* appear. In this letter Mr. Williams suggests that against my consent, no person be violently brought in or received." Below may be noted the parallellisms and differences between the Williams Subscription, and the Richard Scott Petition.

Roger Williams Subscription.

We whose names are hereunder written, being desirous to inhabit in this town of New Providence, do promise to subject ourselves in active or passive obedience to such orders and agreements as shall be made from time to time, by the greater number of the present householders of this town, and such whom they shall admit into the same fellowship and privilege. In witness whereof, etc.

The Scott Petition.

We whose names are here(under) desirous to inhabitt in ye town (of) Providence do promise to subject (ourselves) in active or passive obedience to al(l) such orders or agreements as shall (be) made for public good of or (our) body in an orderly (way) by the major consent of the inhabitants maysters of families in(corporated) together into a town fellowship (and) others whom they shall admit (unto them) *only in ciuill things.*

The noticeabale diflerences are the phrases "O'r (our) body," "in an orderly way," "maysters of families," and "only in ciuill things," and are explainable as follows. Most of the thirteen persons were of the Baptist faith, to which "our body," undoubtedly refers. The Baptists were strenuous defenders of liberty in religious concerns. Richard Scott was a Baptist, and was opposed to the general policy and spirit of Mr. Williams. In view of the fact that Mr. Williams had left the Baptists and become a "Seeker," and as William Harris and others of the "Town Fellowship" had little sympathy with the religious element of the settlement, there was need of a proviso, "only in ciuill things," to protect "our body," "in an orderly way," from the action of the "maysters of families," inasmuch as there was no legal protection and no constable or other officer to enforce the acts of the Proprietors. All rights rested on mutual agreements and the pledges of the parties in interest and their enforcement was a matter of voluntary consideration.

So weak was the hold of this government of "the maysters of families," and "wanting in that energy necessary to preserve the peace and ensure prosperity," (Staples) it was agreed, in 1640, to establish a *"Court of Arbitration"* to settle all diflerences as to lands and other matters in dispute. Chad Brown, Robert Cole and William Harris were the leaders in the establishment of this voluntary tribunal, as an

adjunct of a voluntary association, in an "attempt to live without law and govern without a government." (Dorr).

Judge Staples says of the new plan by arbitration: "The new system, by its weakness and lack of energy, gave rise to difficulties, which, to some of the inhabitants seemed inherent and insurmountable. The great liberty which all enjoyed was abused by some to licentiousness." * * * * Some claimed the right to do with impunity whatsoever, they said, conscience dictated. Others were accused, at the time, of denying all power in magistrates." Staples Annals.

So weak and inefficient was the new scheme that the existence of the Plantation at Providence was threatened and as a result, thirteen of the inhabitants, on the 17th of November, 1641, "by fear of utter destruction of the settlement," wrote a letter to the government of Massachusetts Bay Colony, praying them "of gentle courtesy and for the preservation of humanity and mankind" to consider their condition and to lend them " a neighborlike helping hand," to enforce the execution of an award made by "eight men orderly chosen," against one of the inhabitants in a civil matter. The Bay Colony replied that they would not attempt to aid them unless they "did submit themselves" to their jurisdiction. As a result William Arnold, William Carpenter, Robert Cole, Benedict Arnold and others "subjected themselves and lands"

to the Massachusetts government, while Samuel Gorton, John Greene and others purchased Shawomet of the Indians and withdrew to found a new settlement, Warwick.

It may be a surprise to many to learn that in an original letter of Mr. Williams' to the town of Providence dated June 15, 1681, at the age of 81, he "prays the town," "*That our ancient use of arbitration be brought in esteem again.*" He also "prays" "That ye old custom of order be kept in our meetings and ye unruly be reproved or upon obstinasee cast out from sober and free mens company." Can this purpose relate to persons of tender consciences?

Concerning affairs civil and religious at Providence from 1640 to 1651, the testimony is abundant and conclusive that there was neither legal, moral or religious restraint there. During a long period, from 1643 to 1654, Mr. Williams was absent from Providence, twice on journeys to England, and for the larger portion of the time at his trading house at Narragansett, near Wickford.

In the letter Mr. Williams wrote to his wife, Mary, upon her recovery from a dangerous sickness, he writes, probably from Narragansett, before 1652, "My dear love, since it pleaseth the Lord so to dispose of me and of my affairs at present, that I cannot often see thee, I desire often to send to thee."

Judge Staples writes as to Providence in addition to the quotations above: "A great distrust and jealousy of delegated power"; "the feuds and divisions that had disturbed and hindered the growth of Providence"; "Every individual was left as before not only to decide on his own but on every other person's acts, whether the same were according to the letter and spirit of the agreements"; "This year (1651) is the first record of any choice of town officers." "Roger Williams' deed was ambiguous, vague and uncertain." "Strife and contention between themselves (Providence settlers) divided them into parties, and weakened and almost destroyed the system of government which they had established."

Sir Harry Vane remonstrates with Mr. Williams as late as 1654; "How is it there are such divisions amongst you? Such headiness, tumults, injustice? * * * * Are there no wise men amongst you, who can find out some way or means of union and reconciliation for you amongst yourselves, before you become a prey to common enemies?"

As late as October, 1669, two certificates from two town clerks of Providence, in relation to the election of deputies, were presented to the General Assembly. One certified that there had been no election and the other contained the names of four deputies, who had been chosen to that office. The General Assembly passed an act, the preamble of which rehearsed "the

grievous symptoms that appear of the dangerous contests, distractions and divisions amongst our ancient, loving and honored neighbors, the freemen, inhabitants of Providence, whereby the said town is rendered in an incapacity of transacting their own affairs in any measure of satisfactory order with peace and quietness, and, consequently, unable to help in the managing and ordering of public affairs by deputies that ought to be by them sent to the General Assembly, and jurymen to the courts of trials, whereby there is or seems to be a break in the whole." It was affirmed that the cause of these conditions arose "from disagreement and dissatisfaction about divisions and dispositions of lands, wherein it is impossible either party can be clear from giving and taking offence."

A committee of Aquidneck deputies was appointed to proceed to Providence "to endeavor to presuade them to a loving composure of their differences," but was unsuccessful in securing peace and unity.

It is a matter of authentic history that the land controversies, growing out of what Judge Staples styles "the vague, ambiguous and uncertain" terms of the Williams deed were not finally settled until the early years of the eighteenth century and then only by act of Parliament.

Proposition VII. Roger Williams did not, in any recorded form, utter any distinct statement as to liberty of conscience, in relation to the settlers or the

civil and business polity of the settlement at Providence, nor did he discriminate between conscience liberty and religious liberty in his work in attempting to organize civil society. By reason of this failure he created an "immoralism based on the idea that the individual has a right to express his personality, without in any way considering the claims of the community of which he forms a part."

As a consequence men of disordered and depraved consciences found a ready asylum at Providence. One man's conscience allowed him to beat his wife frequently and cruelly. Another's conscience did not recognize the Christian Sabbath. Another's conscience forbade the payment of taxes. All refused magistracy, on grounds of conscience freedom. Stealing from the common lands of the Proprietors was sustained by the same principle. Every form of civil disorder was practiced and tolerated at Providence, on the ground that each man's conscience was the arbiter as to his conduct and that neither law nor magistrate should interfere. Judge Staples, the annalist of Providence, tells us that, in 1672, when for the first time, deputies to the General Assembly were required to take the oath of office, it was "to the great dissatisfaction of the good people of Providence, who protested against it" on the ground "it is contrary to the liberties granted to us in our charter, our charter not binding us to any such thing, and many persons scrupling such impositions to be imposed on them."

For a fuller revelation of the singular conduct of "distressed consciences" at Providence, even to fightings and deeds of violence, reference is made to Vol. IX., Collections of the Rhode Island Historical Society, entitled "The Proprietors of Providence and Their Controversies with the Freeholders, by Henry C. Dorr, 1897. For the purpose of testimony on most vital matters relating to the "immoralism" of the doctrine of "conscience liberty," as illustrated in the "lively experiment" inaugurated by Mr. Williams at Providence, it furnishes abundant proof that an asylum for weak, erring or diseased consciences is not a safe place to establish a Democracy, with full religious freedom. Such a class of people have in all times and in all places fostered discord, tumult, anarchy. "Poor Providence," as Mr. Williams often lamentingly called it, was not an exception to the law.

Here then, at Providence, was a turbulent community, committing deeds of violence, unchecked by laws, in no sense a state or colony characterized by "organized, legalized morality," and all the product of a loose regard for rights of property or civil restraints. To call it a free Commonwealth would be a sad degredation of a noble title.

Proposition VIII. In 1643, Mr. Williams, moved by the discords and strife at Providence, of his own motion, journeyed to London for a Patent or charter. Aided by Sir Harry Vane he obtained what is known

as the Roger Williams Patent of 1644. We would expect that an eminent expounder of conscience liberty, by the aid of Vane would procure an instrument clearly guaranteeing such liberty. What do we find in the Patent of 1643-4? There is not a syllable referring to freedom of conscience, soul liberty or religious freedom, nor did it contain any grant of land. It was a simple document, in usual form, empowering the planters to rule themselves as English subjects, with the bounds of their civil jurisdiction "so vague, ambiguous and uncertain," as to invite occupation of the Narragansett Country by the Atherton Company of Boston on the east, and the Connecticut settlers on the west.

With an assumption of authority unparalleled in American history, Mr. Williams caused the Aquidneck Colony to be incorporated with the Providence Proprietory under the title of the Colony of Providence Plantations, when as yet Providence had no legal existence, save as a voluntary association of shareholders in a land corporation, with an annex of a community of "distressed consciences." As a matter of fact, Providence never had a distinct Colonial life, and no corporate life until 1649, thirteen years after its settlement by Mr. Williams and five companies.

Proposition IX. Roger Williams and his associates developed at Providence the spirit of individ-

ualism, an inheritance transmitted in large measure to the later inhabitants of Providence Plantations. Mr. Richman writes: "Now that the island of Aquidneck had become a political entity, the contrast between it and the entity (or non-entity) Providence was marked in the extreme. By Providence there was symbolized individualism—both religious and political—a force centrifugal, disjunctive, and even disruptive. By Aquidneck (and especially by the Newport part of it) there was symbolized collectivism —a collectivism thoroughly individualized as to religion, but in politics conjunctive and centripetal. * * * * During the age of Roger Williams that which we are bidden to contemplate on the shores of Narragansett Bay is a struggle for supremacy between separatism and collectivism." Prof. Masson describes Mr. Williams as "the arch-individualist." As such, he certainly lived to see the influence of his teachings as conducive of anarchy, and not of Democracy.

Proposition X. A just estimate of Mr. Williams' abilities and character is the key to his successes and failures. The final verdict of history must deal with the essential, governing principles of the man's life. A multitude of friends and critics during a period of three centuries afford sufficient evidence for a candid and unbiased judgment.

In intellectual ability and training, Mr. Williams excelled. His sanguine temperament made him a

quick observer of men and things. His large combativeness, coupled with supreme egotism and the callowness of youth, led him to polemic excesses in his early life, which age and experience in a measure checked. John Quincy Adams characterized him as "conscientiously contentious." Mr. W. B. Weeden speaks of "the vagaries of his individual will." Mr. Williams was wanting in the judicial spirit. Thomas Durfee states that "historians urge that he was eccentric, pugnacious, persistant, troublesome; undoubtedly he was." He was a diplomat in the Indian camp, but not among English peoples. He was generous to a fault and often sacrificed his own comfort of mind and body for others. He was not a selfish man and was self-forgetful in the disposal of lands and money. Mr. Weeden says "He was a good man of business in his private affairs," but he died a poor man, notwithstanding.

In constructive state-craft, Mr. Williams was an absolute failure. Not a vestige of institutional, political or social life of his founding exists today. Weeden writes, truthfully, "Williams was not skillful or wise in politics." He attempted a feudal estate of his Moshassuck lands, under his own control as lord of the manor. Failing in this, he converted his vast holdings into a Proprietory of married men with children, the male head of the household alone having property rights or the right of franchise. He invited young men from other colonies to come to Providence,

but denied them lands and the privilege of voting. Even Samuel Gorton, the founder of Warwick, whom our state historian, Samuel G. Arnold, pronounces "One of the most remarkable men that ever lived," was refused admission as an inhabitant of Providence. Men "distressed in conscience" were invited to Providence to become sharp thorns in the sides of the Proprietory. A voluntary government by "householders" gives way at Providence to an equally useless and ineffective voluntary "Board of Arbitration," and "Poor Providence" waits fifteen years, until 1651, before it has legal town officers. (Staples). At no time in the history of Providence, after the formation of the Proprietory, did Mr. Williams hold control in business, civil or religious affairs, as against William Harris, Thomas Olney and the proprietors of the town.

In religious concerns and conscience freedom, the realm of Mr. Williams' accepted supremacy, much could be said, little will be. Roger Williams came to Providence an ordained minister of the Orthodox Congregational faith. In 1639, he was immersed by Ezekiel Holliman, a lay member of the Baptist order from Salem, and united with eleven other Baptists, in the formation of a church. Three or four months later, questioning the validity of his baptism by a layman rather than a priest, he withdrew from the Baptists and became, as he styled himself a "Seeker," for the rest of his life. As a "Seeker" he was amenable

to no sect, outside the pale of all, and, having no accepted standard of belief, could not reasonably criticize others. "In Roger Williams, independency had, in 1639, become Seekerism, the *ne plus ultra* of religious individualism." (Richman). Little account appears of Mr. Williams as a religious teacher, after 1640. There is no valid ground for claiming Mr. Williams as the founder of the First Baptist Church of Providence or of his being its first minister. Judas Iscariot was a disciple of Jesus for about three years but he has never been called one of the founders of the Christian church. Mr. Williams renounced his baptism after an experience of four months with men of little knowledge in church or state, and then styles himself a "Seeker" and is claimed as the founder of that sect in England. It is a travesty of history to call Mr. Williams a Baptist, when he did not pass the probationary stage for membership. From 1644 to 1652, he seems to have dwelt at his trading house at Narragansett, as a neighbor of Richard Smith and the Narragansett tribe of Indians.

It is difficult to discover Mr. Williams' attitude as to conscience freedom at Providence for we find no declaration from him by lip or pen as to the matter. We find the terms "liberty of conscience," and "distressed consciences" in the writings of that day, but these terms are too "vague, ambiguous" and fugitive to command serious attention, except to call attention to what seems to have been Mr. Williams' personal

attitude as to the matter of conscience freedom. In his early life, Mr. Williams made the individual conscience superior to the community conscience. When such a notion prevails, there can be no law, no courts, no magistracy, as was the case in Providence from 1636 to 1651, and even later. It was the period of anarchy, when every man was free to act without legal or civic restraint.

Later in life, in the parable of the ship at sea, Mr. Williams declares that there can be no true liberty of conscience except in obdience to law, the individual conscience submitting to the community conscience. Here he claims that the supremacy of the majority conscience must be maintained. This was the teaching of Locke and all other right-minded teachers of ethics, ancient or modern. In one of the Massachusetts court rooms, this motto hangs over the Judge's chair, "Here speaketh the conscience of the state, restraining the individual will."

So far as conscience liberty is considered in the history of Mr. Williams, it may be found in and limited to the academic discussions of his polemical writings, issued in 1644 and thereafter. Chapter III. on *Conscience Liberty and Soul Liberty* should be read in this connection.

The best test of the philosophy of Mr. Williams is to be found in the practical results of his teachings and labors at Providence. The following quotations

as to civil, social and moral conditions are to be found in Staples, Weeden, Dorr, Carpenter, Arnold and others. "It (Providence) was without skilled, artizans, mechanics or professional men, and, save Williams, it had no man of liberal education. It had no coercive authority—had not even a constable, but was merely a voluntary association. It was subject from its earliest days to violent discontents and disturbances." (D.) "Controversies were numerous and acrid." "Stealing by the small freeholders from the common lands was constant." Enmity between classes went on." "Disorders began at an early day and the town had no courts or magistrates to repress them." "There were here young men discontented with their political disabilities." "The town fellowship was at an end."

"The settlers did not care enough about ministers or denominations to fight either for or against them." "Daily tumults and affrays." "The peace of the town was at an end." "The tide is too strong against us and I feare (if the framer of hearts help not) that it will force me to little Patience, a little isle near to your Providence." R. W. to J. W. "The Proprietors who had converted his (R. W.) public trust into a land speculation." "Attempts in Providence to live without law and govern without government." "Williams rarely suffered his personal resentments to grow cool." "Private owners were not permitted to sell their lands without consent of the town." "The

Proprietors began to use the prohibition to fell timber trees as a restraint upon shipbuilding and commerce." "The inferior freemen bore an undue share of the public burdens of both town and colony rates." "The transfers of property were without formality or precision. No *deed* was thought *necessary* until the days of the second charter." (1663.) Little regard was paid to the Sabbath as a day of rest or worship. Profanity and lewdness of conduct were common. Small regard was paid to rights of person or property. Mr. Williams' judgments of his associates and townspeople were hasty and ill-tempered. Little regard was paid his opinions, which were vacillating and inconstant.

His mental attitude was alert, vigorous, polemic. His sanguine temper tended to quick decisions, while his honesty of mind compelled frequent reversions of opinion, and laid him open to the charge of inconstancy and fickleness. Wanting a logical mind, his premises and conclusions were often at variance. Wanting a judicial mind, he failed in council. Wanting an exactness in thought and action, due to temperament and education, his statements, official acts and correspondence are often only half truths. He was little versed in business matters and had small legal knowledge. His moral character was pure and without guile. He possessed a province, and, for want of a practical business faculty and worldly sagacity, died in poverty. Making few friends and

fewer confidants, he absolutely failed in leadership and lost the crown which he might have honestly claimed. A separatist in faith, and an ardent advocate of a free church in a free commonwealth—civil and religious liberty,—he sacrificed his idealism on the altar of self-will, lost the material goods for which he so firmly and unselfishly contended for a life time, and for the sake of personal peace, accepted self-banishment as an antidote to strife.

Profiting by the hard experiences of a long life struggle with his own mistakes and the hard knocks of adversaries, in his own civil household, he was too honest, too conscientious, too just and too magnanimous not to recognize the success of those, in another portion of the commonwealth, who had organized and put in practical operation the principles which he had in various and variable ways advocated. Mr. Williams' treatment of the Quakers is a perfect illustration of his character and mental habit. Newport had for twenty years been the home of the Quakers in the American Colonies. At the age of seventy-two, despite his ideas as to liberty of conscience and civil rights, despite the infirmities of body, with small charity and large hatred and intolerance he decided to assault George Fox and his trusty, peace loving disciples, in their chosen house of refuge,—Newport, the home of Dr. John Clarke.

He called the Quakers "Pragmatical and Insulting Souls," "Bundles of Ignorance and Boisterousness," "with a face of brass and a tongue set on fire from the Hell of Lyes and Fury." A challenge to a debate is sent to George Fox, which in his absence, was accepted by Newport Quakers, and fourteen propositions of a most deprecatory and denunciatory character were sent for debate. A day and part of the night, for thirty miles, Mr. Williams records "God graciously assisted me in rowing all day with my old bones, so that I got to Newport toward midnight before the morning," of the three days' conflict. The story of that battle of words is best untold, and no apologist of Mr. Williams has ever been able to square his attitude as to "pressing the Quakers," with his profession of conscience and civil liberty. The result of the contest appeared in the rapid growth of the Quaker body and faith on Aquidneck and their wise and prudent government of the Colony for more than a century. The incident establishes Mr. W. B. Weeden's statement in a broad sense that "Williams never could formulate his own large conceptions into dogmas, capable of founding solid societies."

CHAPTER XIII.

The Royal Charter of 1663, the Final Guaranty of Civil and Religious Freedom in America.

Great men and their deeds and great facts of history are liable to lie bedded in the soil of forgetfulness until some resurrective force raises men and facts to the light and life of honest and honorable recognition. Such century plants survive ordinary human achievement and in time find their permanent place in the orders of social and civil life. These principles apply to the Royal Charter of 1663 and its author and procurer, Dr. John Clarke of Aquidneck.

The charter of Rhode Island of 1663 has been universally recognized as the most liberal state paper ever issued by the English Crown. It is remarkable in several particulars, one of which is that it is a confirmation of the Declaration of Breda.

Declaration of Breda.
Liberty to Tender Consciences.
April 4-14, 1660.

We do declare a Liberty to tender consciences: and that no Man shall be disquieted, or called in question, for differences of opinion in matters of religion which

do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of Parliament, as, upon mature deliberation, shall be offered to us, for the full granting that indulgence.

Charles II, *Rex.*

Still further it gives Royal sanction to the foundation principles of the Aquidneck towns. Yet more, its inner meanings, its scope and its historic references establish the authorship in Dr. John Clarke of Rhode Island Colony. Of all the acts of his distinguished career, the authorship and procuring the Royal Charter is the greatest.

I have it in mind to show that the principles of civil and religious liberty as set forth in the democratic constitution of the several states of our republic and in the constitution of the United States, were clearly enunciated, set forth and solemnly enacted in the Royal Charter, given to the colony of Rhode Island by King Charles, the Second, July 8, 1663. In other words, I propose to show that the rights, privileges and prerogatives of a free commonwealth, under modern constitutional enactments, inhered in and were guaranteed by that charter, and that the Colony of Rhode Island was to all intents and purposes *de jure,* a free and independent republic, under a strict construction of constitutional jurisprudence, from the 8th of July, 1663, until the 4th of May, 1776.

A few important facts of Rhode Island history will preface my argument.

In the year 1636, Roger Williams, banished from Massachusetts Bay Colony, with a few companions, made a Plantation on the banks of the Moshassuck, calling it Providence, and his territorial purchase of the Narragansetts, Providence Plantations. In 1638, William Coddington and others, likewise banished from Massachusetts Bay Colony, planted at Portsmouth, and, in 1639, Coddington with John Clarke and others planted a town on the south end of Aquidnick, calling it Newport, and the territorial possessions, acquired of the Narragansetts, Rhode Island. In 1643, Samuel Gorton and ten others, having enjoyed a double banishment from Plymouth Colony and Rhode Island Colony, purchased Shawomet, or Warwick of the Narragansetts, and settled the fourth community, outside the two settlements already made. On the 17th of September, 1644, Mr. Williams, returning from England, landed at Boston with the first charter, constituting "The Incorporation of Providence Plantations in Narragansett Bay." This state paper, conferring the right and authority of civil government on the United Colony of the four towns, was adopted by them in 1647, when in a General Assembly, held at Newport, in May of that year, a colonial government was organized and John Coggeshall of Newport was chosen president of the colony. The charter of 1644, omitted all reference to religious concerns.

In 1648 and 1649, William Coddington of Newport was made president of the four united towns of the colony. On the execution of Charles the First, and the accession of Cromwell and the Puritan Commonwealth, Coddington sailed to England secretly, and in the midst of the confusion of the new regime, obtained a commission as Governor for life of the islands of Aquidneck and Conanicut. This strange act nullified the charter and left Warwick and the plantations with the whole Narragansett country at the mercy of the avaricious colonies of Connecticut and Massachusetts Bay. The whole colony was aroused and John Clarke, representing the Rhode Island towns, and Roger Williams the towns of Warwick and Providence Plantations were sent to England in 1651 to obtain a recall of Coddington's powers, and the restoration of the charter of 1643, and in 1652 the successful mission of Clarke and Williams was welcomed by the people, —a result largely due to the influence of Sir Harry Vane and John Milton, both ardent friends of the Rhode Island principle. In 1654, Mr. Williams returned to Providence, leaving John Clarke in England to protect the interests of the four towns, again united in one colony.

The death of Cromwell and the accession of Charles the Second in 1660 witnessed a new crisis in our colonial history, when not only our charter rights were desrtoyed, but even our territorial holdings were put in great jeopardy. The restoration of the Stuarts

and the annulment of the acts of the long Parliament made it necessary for Rhode Island to seek a new charter. The hour for a great diplomat had come, and Dr. John Clarke, the greatest American diplomat of his age, was at the post of duty, as well as danger, in the great emergency, and after long and wearisome debate, fierce and determined opposition from the London agents of Connecticut and Massachusetts Bay Colonies, and malignant personal abuse from unexpected quarters, he secured the signature and seal of Charles the Second on the 8th day of July, 1663, creating in perpetuity the English colony of Rhode Island and Providence plantations in the Narragansett Bay, New England in America.

And what was its content of constitutional freedom?

First was the recognition of the absolute right of the Indian tribes to the soil and the guarantee of the Indian titles to estates in fee simple to the original planters of the colony. This was a remarkable concession, in that it annulled all prior claims to Indian lands by right of discovery or conquest as vested in the crown, and established the contracts as made between the settlers and the Narragansetts, as valid and binding on all concerned. The words of the charter are, "and are seized and possessed, by purchase and consent of the said natives, to their full content, of such lands, islands, rivers, harbors, and roads, as are

very convenient, etc." By these words all Indian land titles were confirmed and established by royal consent and authority throughout Rhode Island. In other colonies the lands were bestowed by the crown and confirmed by the natives, but here Indian sales were confirmed by the King and as a further grant, the settlers were permitted "to direct, rule, order and dispose of all other matters and things, and particularly that which relates to the making of purchases of the native Indians." These concessions were in answer to the claims of Clarke and Williams, so long maintained, that the Indians were the rightful owners of the soil they occupied.

Next to the perfect guarantee of Indian titles, was the perfect and complete guaranteed political life in a body politic styled "THE GOVERNOR AND COMPANY OF THE ENGLISH COLONY OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, ETC." "that by the same name, they and their successors shall and may have perpetual succession, and shall and may be persons able and capable, in the law to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended, etc. * * * as others our liege people of this our realm of England, or any corporation or body politic within the same may lawfully do."

This body so ordained contained all the machinery of government, perfect, absolute, complete in

and of itself, responsible for its acts and so constituted as to fulfill all the functions of self-protection and defense.

Still further, to set this complicated machinery of state in order and motion, "We will and ordain, and by these presents, for us, our heirs, and successors, do declare and appoint that for the better ordering and managing of the affairs and business of the said company, and their successors, there shall be one Governor, one deputy Governor and 10 assistants, to be from time to time, constituted, elected and chosen, out of the freemen of the said company, for the time being, in such manner and form as is hereafter in these presents expressed, which said officers shall apply themselves to take care for the best disposing and ordering of the general business and affairs of and concerning the lands, and hereditaments hereinafter mentioned to be granted, and the plantation thereof, and the government of the people there. And, for the better execution of our royal pleasure herein, we do, for us, our heirs and successors, assign, name, constitute, and appoint the aforesaid Benedict Arnold to be the first and present Governor "of the said company, and the said William Brenton to be deputy governor," with ten assistants therein named, to continue in office until the first Wednesday in May, next coming. And "forever thereafter" the major part of the freemen shall elect assistants and deputies semi-

annually, to a meeting or assembly to be called The General Assembly, "to consult, advise and determine, in and about the affairs and business of the said company and plantations."

Here was American democracy pure and simple.

First, the freemen whose qualifications were determinable by the body politic, the corporation of Rhode Island. Suffrage, by this instrument, was limited only, as to-day, by the will of the people. No word as to manhood or womanhood suffrage, no property qualification, no reference to native or foreign born—simply the freemen.

Further, "the major part of the freemen of the respective towns," elected their representatives. Here we have the great law of majority rule in elections, which has held sway in town and state legislative procedure for three centuries. The Rhode Island town is here recognized as the unit of political institutions and the purest illustration of popular government of, for and by the people.

The General Assembly as above constituted and elected by the freemen, in town meeting assembled, was granted full power and authority "from time to time and at all times hereafter to appoint, alter and change such days, times and places of meeting and General Assembly as they shall think fit; and to choose, nominate and appoint such and so many other persons as they shall think fit, and shall be willing to

accept the same, to be free of the said company and body politic, and them into the same to admit; and to elect and constitute such offices and officers and to grant such needful commissions, as they shall think fit and requisite, for the ordering, managing and dispatching of the affairs of the said Governor and company, and their successors; and from time to time to make, ordain, constitute or repeal such laws, statutes, orders and ordinances, forms and ceremonies of government and magistracy as to them shall seem meet for the good and welfare of the said company, and for the government and ordering of the lands and hereditaments, hereinafter mentioned to be granted, and of the people that do, or at any time hereafter shall inhabit or be within the same; so as such laws, ordinances and constitutions, so made, be not contrary and repugnant unto, but as near as may be, agreeable to the laws of this our realm of England, considering the nature and constitution of the place and people there, and also to regulate and order the way and manner of all elections to offices and places of trust, and to prescribe, limit and distinguish the numbers and bounds of all places, towns or cities within the limits and bounds hereinafter mentioned, and not herein particularly named, who have, or shall have, the power of electing and sending of freemen to the said General Assembly; and also to order, direct and authorize the imposing of lawful and reasonable fines, mulcts, imprisonments and executing other

punishments, pecuniary and corporal, upon offenders and delinquents, etc., according to the course of other corporations in the English realm."

The General Assembly was "to appoint, order and direct, erect and settle such places and courts of jurisdiction, for the hearing and determining of all actions, cases, matters and things, happening within the said colony and plantation, and which shall be in dispute, and depending there, as they shall think fit and also to distinguish and set for the several names and titles, duties, powers and limits, of each court, office and officer, superior and inferior; and also to contrive and appoint such forms of oaths and attestations, not repugnant, but as near as may be agreeable, as aforesaid, to the laws and statutes of this our realm, as are convenient and requisite with respect to the due administration of justice, and due execution and discharge of all offices and places of trust by the persons that shall be therein concerned."

Religious liberty was confirmed and forever established in the remarkable utterances, the leading declaration of which appears in a prior letter from Dr. John Clarke to Charles II., under date of 1662. This letter sets at rest forever the authorship of the sentiment cut in marble in the facade of the State House, and so often credited to Roger Williams. It is a monument to the greatness of Dr. John Clarke.

"And whereas, in their humble address, they have freely declared, that it is much on their hearts (if they may be permitted) to hold forth a lively experiment, that a most flourishing civil state may stand and best be maintained, and that among our English subjects, with a full liberty in religious concernments; and that true piety rightly grounded upon gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men the strongest obligations to true loyalty: Now, know ye, that we, being willing to encourage the hopeful undertaking of our said loyal and loving subjects, and to secure them in the free exercise and enjoyment of all their civil and religious rights, appertaining to them, as our loving subjects; and to preserve unto them that liberty, in the true Christian faith and worship of God, which they have sought with so much travail, and with peaceable minds, and loyal subjection to our royal progenitors and ourselves to enjoy; and because some of the people and inhabitants of the same colony cannot, in their private opinions, conform to the public exercise of religion, according to the liturgy, forms and ceremonies of the Church of England, or take or subscribe the oaths and articles made and established in that behalf; and for that the same, by reason of the remote distances of those places, will (as we hope) be no breach of the unity and uniformity established in this nation: Have therefore thought fit, and do hereby publish, grant, ordain

and declare, That our royal will and pleasure is, that no person within the said colony, at any time hereafter shall be anywise molested, punished, disquieted, or called in question, for any differences in opinion in matters of religion, and do not actually disturb the civil peace of our said colony; but that all and every person and persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concernments, throughout the tract of land hereafter mentioned, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance of others, any law, statute, or clause therein contained, or to be contained, usage or custom of this realm, to the contrary hereof, in any wise notwithstanding."

In this declaration as to rights of conscience in religious concerns, Dr. Clarke quotes from the famous letter of Charles the Second to the Commons, known as the Declaration of Breda, April 4-14, 1660, in which he affirms "that no man shall be disquieted or called in question for differences of opinion in matters of religion which do not disturb the peace of the kingdom."

Other valuable privileges and concessions were granted, but enough have been presented to show that the Rhode Island government was clothed with

all the powers and perogatives of a free, democratic republic. Territorial rights, citizenship, freemanship, the franchise, administrative assemblies, a representative government, an unrestricted law-making power, an independent judiciary, freedom of speech, of political action, of conscience, or religious faith, were granted to Rhode Island by the sovereign grace of Charles the Second, the founder and friend of a free colony, under the broad imperial aegis of Great Britain.

On so broad a platform of constitutional rights, the colony of Rhode Island stood, the freest commonwealth in principle and practise on the face of the earth. So broad, so practical, so efficient were the provisions of this great charter of human rights and of constitutional government that it stood all the needs of a Colonial life, a period of 113 years, and then served the needs of a State Constitution within the Federal Republic for 67 years—a total of 180 years,—the oldest of all.

Our state historian Arnold says of it: "Under it the state was an absolute sovereignty with powers to make its own laws, religious freedom was guaranteed, and no oath of allegiance was required. Rhode Island became in fact, as well as in name, an independent state from that day."

"The extent of the power conferred by this charter is indeed surprising. The military arm, always re-

lied upon as the distinctive barrier of the throne, is formally and fully surrendered to the people, in this instrument, even to the extreme point of declaring martial law—a grant, which in repeated cases, the government of Rhode Island successfully defended in later years against the threats and the arguments of the royal governors of New England."

"With this charter, serving as the basis of government, rather than prescribing its form, the state led the way in the final struggle for national independence."

Henry Cabot Lodge in his History of English Colonies in America, who wittingly holds the ancient Massachusetts animus as to our colonial government says: "Clarke was an adroit and an able man; * * * Clarke's charter soon after passed the seals and the Governor and Company of Rhode Island were fairly incorporated. This charter was drawn in the most liberal terms possible—establishing a purely popular elective government—while it bore the marks of its author in its provision that no one should be molested for any religious opinion, if the peace was kept."

To Bancroft, our greatest American historian, belongs the honor of bestowing upon the Rhode Island charter of 1663, the first position as a state paper among the records of civilized men, and of according to Dr. John Clarke, the agent of the Colony of Rhode Island and the author of the immortal document, enduring words of praise.

After referring to the remarkably liberal charter of the Colony of Connecticut of 1662, he writes: "Rhode Island was fostered by Charles II with still greater liberality. When Roger Williams had succeeded in obtaining from the Long Parliament the confirmed union of the territories that now constitute the state, he returned to America (1654) leaving John Clarke as the agent of the colony in England. Never did a young commonwealth possess a more faithful friend; and never did a young people cherish a fonder desire for the enfranchisement of mind.

" 'Plead our case, they had said to him in previous instructions which Gorton and others had drafted, in such sort as we may not be compelled to exercise any civil power over men's conscience; we do judge it no less than a point of absolute cruelty.' * * * The good-natured monarch listened to their petition; Clarendon exerted himself in their behalf; the making trial of religious freedom in a nook of a remote continent could not appear dangerous; it might at once build up another rival to Massachusetts and solve a problem in the history of man." * * *

"This charter of government, establishing a political system which few besides the Rhode Islanders themselves then believed to be practicable, remained in existence till it became the oldest constitutional charter in the world." * * * "Nowhere in the world were life, liberty and property safer than in Rhode Island."

He calls Dr. John Clarke, "the modest and virtuous Clarke, the persevering and disinterested envoy," who "parted with his little means for the public good"; and "left a name on which no one can cast a shade."

And so it came to pass in the reign of Charles II, King of England, to wit, in 1663, through the intercession of Dr. John Clarke, Envoy Extraordinary from the Colony of Rhode Island and Providence Plantations, for 12 years, to wit, from 1651;

That the boundaries of the colony were clearly defined;

That the Indian deeds of lands were confirmed;

That the estate of freemen was created;

That civil government was vested in this democratic estate;

That a *de facto* government was established and set up;

That the law-making power was vested in an elective body, styled the General Assembly;

That a judiciary was created for the determination of justice;

That a military force was ordained for defense;

That martial law was vested in the executive;

That freedom of worship and of conscience was made the basis of individual rights;

And, all under the laws, ordinances and constitutions, "agreeable to the laws of this our realm of

England, considering the nature and constitution of the people there." And these things and more were embodied in that great instrument, the Royal Charter; were the inherent elements of our Declaration of Independence, and have been the foundations of the civil state we love and honor.

Had Dr. John Clarke of Newport no other claim to the first place among the founders of American Colonies, the Royal Charter of 1663 would confer that honor.

GRAVE OF DR. JOHN CLARKE
NEWPORT, R. I.

CHAPTER XIV.

Concerning Dr. John Clarke.

Roger Williams' Opinion of Dr. John Clarke.

"His grand motive,—A just liberty to all men's spirits in spiritual maters."

"For his honoured and beloved Mr. John Clarke, an eminent witness of Christ Jesus agst ye bloodie Doctrine of Persecution, &c."

Reasons for Planting Aquidneck.

"We must remark that this Colony (Rhode Island) was a settlement and plantation for religion and conscience sake. * * * The first planters of this Colony, and Island, fled not from religion, order or good government, but to have liberty to worship God and enjoy their own opinions and beliefs. * * * We find that religion and conscience began the Colony. * * * The posterity of a people, who were guided to this happy Island, as a safe retreat from the stormy winds, as a place of freedom to practice every branch of religion in. * * * Our fathers established a mutual liberty of conscience. * * * Liberty of conscience was never more fully enjoyed than here. * * * His memory

(Dr. John Clarke's) is deserving of lasting honor for his efforts towards establishing the first government in the world, which gave to all equal civil and religious liberty. * * * He was the original proprietor of the settlement on the Island and one of its ablest legislators. No character in New England is of purer fame than John Clarke."

Rev. John Callender, A. M.
Century Sermon, 1739.

AN ESTIMATE OF DR. JOHN CLARKE.

Samuel G. Arnold, Historian of Rhode Island, says:

"John Clarke and his brave companions peaceably purchased 'the Eden of America' from its aboriginal lords, and founded a Christian Colony in the midst of heathen barbarism."

"The two men who had been so long rivals in their public life, as agents of their respective colonies, but who had always maintained a mutual friendship, passed from the world almost together. Dr. John Clarke expired two weeks after Governor Winthrop, in the sixty-seventh year of his age. To him Rhode Island was chiefly indebted for the extension of her territory on both sides of the Bay, as well as for the royal charter. He was a ripe scholar, learned in two professions, besides having had large experience in diplomatic and political life. He was always in public

life under the old Patent, as Commissioner and as General Treasurer, from the first election of Commissioners held under it, until sent to England, where he was employed as Agent of the Colony for twelve years. On his return, he served as a Deputy in the Assembly from the first election under the Charter till he was made Deputy Governor, to which position he was three times elected, and served twice, closing his public life with that office, five years before his death. With all these public pursuits, he continued the practice of his original profession as a physician, and also retained the pastoral charge of his church, as its records show. His life was devoted to the good of others. He was a patriot, a scholar, and a Christian. The purity of his character is conspicuous in many trying scenes, and his blameless, self-sacrificing life disarmed detraction and left him without an enemy. The Colony was largely indebted to him for advances made in securing the Charter."

The Order as to "Doctrine."

"The people (of Aquidneck) having recently transferred the judicial power from their own control to the Court and Juries, they enacted this law protecting liberty of conscience, not choosing to trust the judiciary with the keeping of that sacred principle for which they had transported themselves, first from England and then from Massachusetts. It was the foundation of the future statutes and Bill of Rights,

which distinguished the early laws and character of the state and people of Rhode Island from the other English Colonies in America."

"Bulls Memoirs of Rhode Island."

Dr. John Clarke, Founder and Legislator.

"Dr. John Clarke was the original projector of the settlement on Rhode Island, in 1638, and was subsequently one of its ablest legislators."

"He was the first regularly educated physician in Rhode Island and was an able, pious and distinguished man."

Prof. William Goddard,
Brown Univ.

He was buried on his own land on Tanner street, Newport, between his two wives, Elizabeth and Jane.

Here Lyeth ye
Body of John Clarke
Gent. Phisitian
Aged 66 *years*
Died 1676 *and is buried*
Between his two wives
Elizabeth and Jane.

Religious Freedom at Newport.

Notwithstanding so many differences, here are fewer quarrels about religion than elsewhere. The people living peaceably with their neighbors of whatsoever persuasion.

Bishop Berkley, Newport,
Apr. 24, 1729.

Life, Liberty and Property in Rhode Island.

"Nowhere in the world have life, liberty and property been safer than in Rhode Island."—George Bancroft, Historian.

The Old Charter, 1663.

"How dignified and perspicuous is its language! What a choice specimen of English undefiled! How luminous is the arrangement of its provisions, how comprehensive and unambiguous the terms in which it secures to the people not only perfect liberty of conscience in matters of religion, but likewise the almost unrestricted power to govern themselves "in civil things! The chief glory of the old charter is the ample security which it provides for religious liberty."

"So democratic was the charter deemed to be, both in its letter and spirit, that doubts were entertained in England whether the King had a *right* to grant it."

William Goddard,
Professor Brown Univ.

The Code of 1647.

"The Code of 1647 was the work of the people of Aquidneck. It embodied their organizing and systematizing spirit and thus wrought for collectivism. But in its framing there were not overlooked the claims of particularism."

"Otherwise than what is * * * * herein forbidden, all men may walk as their consciences persuade them, every one in the name of his God."

Richman.

Aquidneck.

"The Island was refined, flourishing, aristocratic, while the mainland was primitive, poor and plebian."

"In Rhode Island there of course was no religious intolerance."

Richman.

Freedom of Church and State.

"For the first time in human history, State had been wholly dissociated from church in a Commonwealth not Utopian but real. For the first time the fundamental idea of modern civilization—that of rights of man as a being responsible primarily to God and not to the community—had been given an impulse powerful and direct."

Richman.

Free Religious Institutions.

"Dr. Clarke's name must be dear to every citizen of Rhode Island, who venerates our ancient free religious institutions."

The Newport Republican.

"Dr. Clarke practiced as a physician in London from 1652-1663."

Dr. Usher Parsons.

A Spotless Character.

"It may be proper to take some particular notice of Mr. Clarke, who left as spotless a character as any man I knew of, that ever acted in any public station in this country. The Massachusetts writers have been so watchful and careful to publish whatever they could find which might seem to countenance their severities, they used towards dissenters from their way that I expected to find some thing of that nature against Mr. Clarke, but have happily been disappointed."

"Dr. John Clarke was a principal instrument in procuring Rhode Island for a people, persecuted elsewhere."

Rev. Isaac Backus, Historian, 1777.

To
JOHN CLARKE, PHYSICIAN
1609-1676
FOUNDER OF NEWPORT
AND OF THE CIVIL POLITY OF RHODE ISLAND.

Marble tablet in Hall of Newport Historical Society,
Erected by the Newport Medical Society,
Dec., 1885.

SCHOLAR, PHYSICIAN, MINISTER AND STATESMAN.

"In 1676, died John Clarke, scholar, physician, minister and statesman; above all, a pure patriot. Always in public affairs, his 'blameless, self-sacrificing life' left him without an enemy, although in these times strife everywhere prevailed."

"John Clarke, more practical than Roger Williams, seized every opportunity to ally himself with the most liberal religious thought of Continental Europe, as well as of England."

"John Clarke laid his topographical lines as skillfully as he negotiated politically."

"They (the Quakers) flocked into Newport. Here they found a free atmosphere and many people with minds open for the reception of their ideas."

"Dr. John Clarke's expenses in England, while procuring the royal charter, the secured foundation of the Colony, had been slowly paid and never were fully liquidated. Yet no one deserved more from the planters than this enterprising, wise and forecasting statesman. Roger Williams berated Providence that they "ride securely by a new Cable and Ankor of Mr. Clarke's procuring."

"Sagacious as Charles the Second was, he built better than he knew, when he allowed absolute freedom of conscience in the little dependency of Rhode Island."

William B. Weeden,
In "Early Rhode Island."

"Dr. John Clarke came to Boston, Nov., 1637. He became a follower of Mrs. Anne Hutchinson and is venerated as the founder of Newport."

James Savage, Gen. Dictionary.

Dr. John Clarke and the Royal Charter.

"Who can describe the feeings of Clarke when he received from the hands of Chales II. that charter, which it was the great aim of his life to obtain. The Colony was now safe; and there was at least one spot on the face of the globe where every man could sit under his own vine and fig tree, with none to make

his afraid."* * * * "The joy in the Colony was equally great." * * * "If ever a people were sincere in expressing their gratitude, it was when they voted thanks to their Sovereign Lord, King Charles the Second; to the most honorable Earl of Clarendon; and to their faithful agent, John Clarke."* * * "It (the Royal Charter of 1663), constituted Rhode Island the Morning Star of Liberty to the world, and gave her a name and an influence that will never die. It was the wonder of the age when it was given, as it has been the admiration of each succeeding age." * * "The Colony then assumed its permanent form, and was embodied in institutions that continue to this day, its central principle being *Freedom, Especially Religious Freedom, Secured by Fundamental Law.*"

Rev. S. Adlam,
Pastor Dr. John Clarke Memorial Church,
Newport, 1871.

Dr. John Clarke.

"I firmly believe that there was not then a better balanced mind than Dr. John Clarke's in all America and Rhode Island never had a more devoted friend. He was prodigal of himself in her service, and when he died he gave the remnant of his fortune for the relief of her poor and the bringing up of her children to learning."

Hon. William P. Sheffield,
Newport Oration, 1876.

Clarke Family.

Dr. John Clarke of Newport was in the fourth generation from John Clarke (1) of Westhorpe, Suffolk, England who was buried March 3, 1559; through John (2), b. 1541; died April 4, 1598; through Thomas (3), b. Nov. 1, 1570; d. July 29, 1624. His mother was Rose Kerridge, who died Sept. 19, 1667.

Children Born at Westhorpe.

1. Margaret, b. Feb. 1, 1600.
2. Carew, b. Feb. 3, 1603; came to Newport, R. I.
3. Thomas, b. March 31, 1605; came to Newport, R. I.
4. Mary, b. July 17, 1607; m. John Peckham of Newport.
5. John, b. Oct. 3, 1609; Founder of Aquidneck.
6. William, b. Feb. 11, 1611.
7. Joseph, b. Dec. 19, 1618; came to Newport, R. I.

John Clarke Monument.

"Rhode Island owes to John Clarke a monument of granite and a statue of bronze."

John R. Bartlett,
Secretary of State for Rhode Island, 1855-1872.

Roger Williams and Dr. John Clarke.

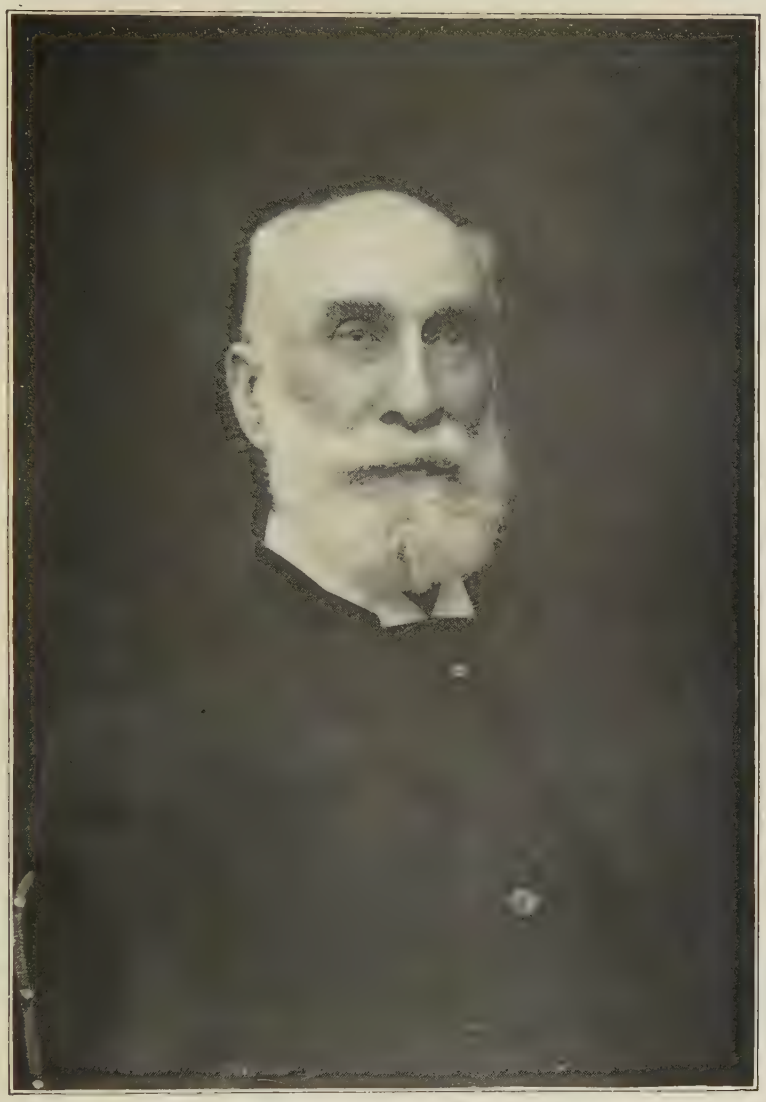
Letter of Moses Brown to Prof. J. D. Knowles.

Providence, 17 of 6 mo., 1830.

Respected Friend:—

Thy letter of the 15th is before me. I have long wished that a correct account of Roger Williams could be made as our town and state is therein interested, but I apprehend thou wilt find it difficult to effect it with that candor and intelligence thou had when I first was acquainted by information thereof in thy youthful days, by reason that R. W.'s character has been written by his friends, who claim him of their party in religious matters. I mean not only Baptists but Presbyterians and others biassed by other means. Should thou correct the errors evidently made by Elder Backus (from others and himself) and from him repeated in English writers thou may not satisfy thy friends, and thou must calculate to find many things which thou (probably) never heard of him that thou can but consider against his character as well as things favorable. Baptist writers in some respects disagree. Doct. Edwards on inquiry among our old people concluded and has left it in his history, now in our Historical Society's library, that R. W. was never considered (first) an Elder, but that Chad Brown was the first Elder in the Baptist Church in this town, but Elder Backus has taken much pains to establish R. W. the first and in every other way to raise the character of him beyond what well authenticated facts on Records disprove, and in his endeavor to exalt Roger's christian character, has endeavored to lay waste that of ancient Friends, for which he was called to account before some of his friends.

R. W.'s first writing was very different from his latter, both as to matter and manner and he is accused by his opponent, John Cotton, then as not adhering to the truth. It will appear by Roger's own account that he was turned out of office by the King's party and by Baxter and Crosby's History of the Baptists and indeed by Backus that he was the Father of the



THOMAS WILLIAMS BICKNELL

Seekers in England; that he was with Cromwell and the Long Parliament in England, to whom he addressed his writings and appeared so strong a Cromwellian, that he could not bear those who were for the King's party. Hence his difficulties arose with Gov. Coddington and others in this state and was also connected with the long dispute with the first 12 who purchased 12-13 of what he had from the natives and by his joining the after comers which became the strongest party, a law suit was kept up for 50 years and the Elder Backus says was settled in Roger Williams time, but was not finished until many years after his death by the heirs of the first purchasers who had the third time to apply to England to effect and finally settle by themselves in 1711. I mention these things as hints to give thee some idea of the difficult task, and I apprehend Roger's character if fully looked into will not appear better than it now stands with the Baptist Society.

Having been desirous a true history of our settlement and progress might be made, I long since made some small progress in obtaining some account of facts and among them some such as mentioned appear not to have been generally known, and I, having early probably like thyself conceived very high notions respecting the character of R. W., it was difficult for me to get so far released from them to admit many things I found on inquiry to be realities; but at length, I became thoroughly satisfied that he was a very changeable man and yet a strong-minded, self-conceited, perserving man, making an unusual character for a man of talents and education.

This off-hand sketch is not to discourage thee, but to prepare thy mind to receive proof of these statements, which with others, I shall be willing to give thee information, as far as my time and ability will admit of, if thou should conclude to proceed with the arduous task and feel willing and with thy usual candor proceed in the work.

I don't here touch his treatment of the Quakers as that will appear in history from himself and those opposed.

Dr. Edwards was of opinion that Dr. and Elder, (for he was both), John Clarke, a person of learning and persecuted in Massachusetts, ought much more to be considered the Father of this state and especially of the Baptists in it than R. Williams; to this effect he was heard to express himself by divers persons.

He was Agent in England and procured the charter in which Religious Liberty is so fully mentioned, but that which R. W. procured does not contain a word about it, tho Backus states it to be Roger William's Charter, &c.

I remain thy friend,

MOSES BROWN.

Moses Brown, the writer of the above letter, was the son of James and Hope (Power) Brown and in the fifth generation from Chad Brown, who was the first ordained pastor of the First Baptist Church in Providence. He was born in Providence, Sept. 23, 1738 and died Sept. 6, 1836,—within 17 days of 98 years of age. His grandfather, James, was pastor of the First Baptist Church from 1726 to his death in 1732. Moses Brown knew many men and women who knew Roger Williams well and his knowledge of the history of early Providence exceeded that of any man of his time. This letter to Prof. Knowles, the historian of Roger Williams, is from the "Moses Brown's Papers," in the Rhode Island Historical Society, and so far as the writer can ascertain, has never been printed.

Moses Brown was eminent as a citizen, as a student, as a philanthropist and his views as to Roger Williams and his times and of Dr. John Clarke have a commanding value, as they express the opinions of the period just following the life and death of Mr. Williams.

Concerning Aquidneck.

1630-38: William Coddington and many others, citizens of Boston, in training in civil government.

1634-38: Anne Hutchinson School of Civil and Religious Liberty.

1637-8: Banishment of Coddington, Clarke and many others.

1638, March: Compact of 'Bodie Politick" formed at Boston and signed by 23 subscribers; William Coddington elected Judge.

1638, March: Aquidneck bought of the Narragansetts.

1638, May: Government of freemen organized and a town, afterwards called Portsmouth, was located at Pocasset on the Island Aquidneck; majority rule was established and manhood suffrage.

Town officers elected; lands surveyed, sold and deeds recorded; houses built; meeting house, tavern, grist mills, stocks and whipping post, etc., etc., ordered built by town; military company organized; highways laid out; fences built; taxes assessed and collected; courts and jury trials established.

1639, April: William Coddington, John Clarke and others founded the town of Newport on Aquidneck, with officers, institutions, laws and civil and criminal procedure the same as at Portsmouth.

1640, March: The two towns, Portsmouth and Newport unite in forming a Colonial government, with a Governor, Deputy Governor, Assistants, Secretary and Treasurer.

1640: A public school established at Newport.

The estimated population of Aquidneck in 1640 was 1,000 inhabitants.

1641, March: This "Bodie Politick" was declared a "*Democracie*" or Popular Government under just lawes with majority rule.

It was ordered "that none bee accounted a delinquent for Doctrine."

A Colonial Seal was ordered, "A sheafe of arrows bound up in the Liess or Bond, this motto indented: *Amor Vincet Omnia.*

Tenure of lands on Aquidneck affirmed.

"Libertie of Conscience in point of Doctrine is perpetuated."

General Court of Elections, constituting a Colonial or General Assembly was held at Newport.

Colonial Courts, Judges and Trials by Jury were established.

A commercial treaty was made with the Dutch Goernor of New York.

1644: The name of the Colonial Island was changed from Aquidneck to RHODE ISLAND.

1647: A Code of Laws was enacted for the four towns, Portsmouth, Newport, Warwick and Providence, constituting the Province of Providence.

1649, March: A charter of incorporation was granted to Providence "in the modell that hath been latelie shewn unto us by our worthy Friends of the Island."

1651, November: Mr. John Clarke, by the choice of Newport and Portsmouth, went to England as their representative to secure the repeal of the Coddington Charter.

1663, July: The Royal Charter was obtained from Charles II., guaranteeing civil and religious liberty in the Colony of Rhode Island and Providence Plantations. This remarkable State paper was written by Dr. John Clarke, who had spent twelve years in London to secure it.

A FEW NEWPORT ENDORSEMENTS.

"A Livelie Experiment."

We cordially endorse Mr. Bicknell's conclusions and arguments as to *The Primacy of Portsmouth and Newport,—The Colony of Rhode Island on Aquidneck, in Narragansett Bay,*—in the "Livelie Experiment" of Founding Civil and Religious Liberty, under the leadership of Dr. John Clarke of Newport. We pledge him our patronage and hearty support in the publication of The Story of Dr. John Clarke, The Founder of The First Free Commonwealth in the World on the Basis of "Full Liberty in Religious Concernments."

The Society of the Sons of the Revolution in the State of Rhode Island, Newport, May 24, 1915.

Edward A. Sherman, *President.*
George B. Austin, *Secretary.*

At the annual meeting of the Newport Historical Society held May 25, 1915, the Society adopted the above declaration.

D. B. Fearing, *President.*
Edith May Tilley,
Librarian and Clerk.

At the annual meeting of William Ellery Chapter, D. A. R., held June 10, 1915, the Chapter voted to support Mr. Bicknell in his publication of "The Story of Dr. John Clarke."

Caroline W. Lockrow, *Regent.*
Grace E. Milne, *Secretary.*

Mr. John P. Sanborn, Editor Mercury, Newport.
Mr. John B. Sullivan, Postmaster, Newport.
Mr. Jeremiah W. Horton, Ex-Mayor, Newport, R. I.
Horatio R. Storer, M. D., Newport, R. I.
Mr. H. B. Wood, Newport, R. I.

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